



# LAWS AND REGULATIONS

PROMULGATED TO GIVE EFFECT TO THE PROVISIONS OF THE CONVENTION OF 13 JULY 1953 FOR LIMITING THE MANUFACTURE AND REGULATING THE DISTRIBUTION OF NARCOTIC DRUGS, AS AMENDED BY THE PROTOCOL OF 11 DECEMBER 1946

## INDIA

Communicated by the Government of India

NOTE BY THE SECRETARY-GENERAL-- In accordance with Article 21 of the Convention of 13 July 1953 for Limiting the Manufacture and Regulating the Distribution of Narcotic Drugs, as amended by the Protocol of 11 December 1946, the Secretary-General has the honour to communicate the following legislative texts.

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Note on the implications of the various laws and regulations framed by the State governments

I. The All-India Narcotics Conference, 1959, realizing that, with the total prohibition of non-medical consumption of opium with effect from 1 April, 1959, there was a danger of the opium addicts resorting to the use of poppy heads for purposes of intoxication, recommended that:

- (i) there should be very strict control on poppy capsules so as to prevent their use (through illicit sale or distribution) as a substitute for opium, and
- (ii) there should be no export of such capsules from the producing State to any other State except on requisition by the government of the latter State for medical purposes and the balance, after meeting the medicinal requirements of the producing States, should be utilized either for manurial purposes or destroyed.

In pursuance of these recommendations, the States of Delhi, Maharashtra, Rajasthan and Uttar Pradesh, which had no rules on the subject or whose earlier rules were not comprehensive enough to encompass all the problems arising from unrestricted import, sale and distribution of poppy capsules, have now framed poppy head rules, as indicated below:

- (a) Delhi - Notification No. F.190(70)/60-Fin.(E), enforcing the Delhi Poppy Head Rules, 1961.<sup>1/</sup>
- (b) Maharashtra - Notification No. OPM-1060(a)-III, dated 30 September 1961, enforcing the Maharashtra Poppy Capsules Rules, 1961.<sup>2/</sup>
- (c) Rajasthan - Notification No. F.1(110)E. & T/60, dated 26 December 1960, enforcing the Rajasthan Opium (Lanced Poppy Heads) Rules, 1960.<sup>3/</sup>
- (d) Uttar Pradesh - Notification No. 3712-E/XIII-275(4)-59 dated 22 June 1961, enforcing the Uttar Pradesh Poppy Head Rules, 1961.<sup>4/</sup>

The salient features of these rules are as follows:

<u>Salient features:</u>	<u>Delhi Rules</u>	<u>Maharashtra Rules</u>	<u>Rajasthan Rules</u>	<u>Uttar Pradesh Rules</u>
1. Medium of sale of poppy heads.	Licensed wholesalers and retailers.	Licensees.	Licensed whole-sale vendors and retail vendors.	Wholesale licensed dealers and retail licensed dealers.
2. Limit of possession by a private individual	Lanced poppy heads 500 g. Unlanced poppy heads 100 g.	Lanced poppy heads 450 g. Unlanced nil.	Lanced poppy heads 2 kg. Unlanced nil.	Lanced poppy heads $\frac{1}{2}$ seer (466 g). Unlanced poppy heads 10 tolas (116 g).

1/ Note by the Secretariat: E/NL.1962/64.

2/ Note by the Secretariat: E/NL.1962/65.

3/ Note by the Secretariat: E/NL.1962/68.

4/ Note by the Secretariat: E/NL.1962/69.

3. **Manner of transport, import and export of poppy heads.** When the quantity of poppy heads to be transported, imported or exported exceeds the limit of private possession, the transaction can take place only under a certificate to be issued by the competent State authorities.
4. **Accounts of the transactions.** Persons holding a licence to purchase and sell poppy heads are required to maintain accurate accounts of the poppy heads received, sold and held in stock by them from time to time. These accounts as well as the stock of poppy heads held by them are subject to periodical inspection by the authorities concerned.

II. The Government of Maharashtra, Home Department Notification No. OPM.1060(b)-III, dated 30 September 1961.<sup>5/</sup>

In the State of Maharashtra, there was earlier exemption from the provisions of the Bombay Prohibition Act, 1949,<sup>6/</sup> in respect of capsules of poppy which had been lanced and dried and from which the juice had been extracted. Under notification No. OPM.1060(b)-III, dated 30 September 1961, referred to above, this exemption has been withdrawn in order to enforce the Maharashtra Poppy Capsules Rules, 1961, mentioned against item (b) of paragraph I above, which now impose restrictions on the movement of lanced poppy capsules.

III. The All-India Narcotics Conference, 1956, recommended that non-medical consumption of ganja should be prohibited in all the States in India at the latest by 31 March, 1959, and that of bhang by 31 March 1961. In pursuance of these recommendations the Governments of Assam and Mysore in whose jurisdiction non-medical consumption of ganja and bhang was earlier allowed, framed the following Rules to ban such use of ganja and bhang:

- (a) Assam - Notification No. EX.100/57/225, dated 17 February 1961, enforcing the Assam Ganja and Bhang Prohibition Rules, 1960.<sup>7/</sup>
- (b) Mysore - Notification No. PHS 115 EMT 59, dated 8 August 1961, enforcing the Mysore Ganja and Bhang Rules, 1961.<sup>8/</sup>

The salient features of these rules are:

<u>Salient features:</u>	<u>Assam Rules</u>	<u>Mysore Rules</u>
(1) Condition for the issue of ganja for personal consumption.	Not allowed.	Only on the recommendation of Medical Board or Medical Officer appointed in this behalf.
(2) Limit of possession of ganja.	Nil.	Not exceeding 175 g. in a month and not exceeding 24 g. at any one time.
(3) Condition for the issue of bhang for personal consumption.	For social, religious, medicinal and scientific purposes only.	Only on the recommendation of the Medical Board or Medical Officer appointed in this behalf.
(4) Limit of possession of bhang.	According to the permit granted by the competent authority.	Not exceeding 175 g. in a month and not exceeding 24 g. at any one time subject to the condition that permit shall not be granted for the possession of both ganja and bhang at a time.
(5) Medium of sale of ganja and bhang.	Licensed vendors.	Government treasuries.

5/ Note by the Secretariat: E/NL.1962/66.

6/ Note by the Secretariat: E/NL.1953/67.

7/ Note by the Secretariat: E/NL.1962/62.

8/ Note by the Secretariat: E/NL.1962/67.

IV. Notification No. L.JL.36/60, dated 6 May 1961, promulgating the Assam Ganja and Bhang Prohibition (Amendment) Act, 1961.<sup>9/</sup>

Under Section 11 of the Assam Ganja and Bhang Prohibition Act, 1958,<sup>10/</sup> only Inspectors of the Excise and Police Departments were authorized to enter and search a building, vessel or place and seize contraband ganja or bhang. Now by the amendment of this section of the 1958 Act under the amendment Act mentioned above, this power can be exercised also by the Assistant Inspector of Excise and Sub-Inspector of Police.

V. Under Section 8 (2) of the Dangerous Drugs Act, 1930, a State government is empowered to make rules permitting and regulating:

- (a) The interstate import and export from the territories under its administration, the transport, possession and sale of manufactured drugs, other than prepared opium and of coca leaf, and
- (b) the manufacture of medicinal opium or of any preparation containing morphine, diacetylmorphine [heroin]<sup>11/</sup> or cocaine from materials which the maker is lawfully entitled to possess.

Such rules may prescribe the form and conditions of licences for such import, export, transport, possession, sale and manufacture, the authorities by which such licences may be granted, and the fees that may be charged therefor, and any other matters requisite to render effective control of the State government over such import, export, transport, possession, sale and manufacture.

In exercise of the above power, the Government of Punjab, whose previous manufactured drugs rules were not comprehensive enough, has framed the under-mentioned new manufactured drugs rules keeping in view the recommendations of the All-India Narcotics Conferences of 1958 and 1959:

The Government of Punjab, Excise and Taxation Department Notification No. 4187-E & T (VII)-59/5917, dated 29 August 1959, promulgating the Punjab Manufactured Drugs Rules, 1959.<sup>12/</sup>

The salient features of these rules are as follows:

- (a) A medical practitioner who wishes to possess or dispense the manufactured drugs other than prepared opium for use in his practice and not for sale shall get himself registered on application with the Excise and Taxation Officer of the district concerned. (Rule 16 (3));
- (b) An approved practitioner is authorized to possess for use in his practice certain limited quantities of various manufactured drugs. (Rule 16 (1));
- (c) The prescription shall be written on an official form. It shall be dated and signed by the approved practitioner with his full name and address and qualifications, and shall specify the name and address of the person to whom the prescription is issued. (Rule 20 (b) (3));
- (d) Licensed druggists and licensed chemists have to maintain correct accounts of all transactions in manufactured drugs. (Rules 20 and 21).

9/ Note by the Secretariat: E/NL.1962/63.

10/ Note by the Secretariat: E/NL.1960/53.

11/ Note by the Secretariat: The words in square brackets have been inserted by the Secretariat.

12/ Note by the Secretariat: E/NL.1962/70.

ASSAM GANJA AND BHANG PROHIBITION RULES, 1960

Notification No. EX.100/57/225

17 February 1961

In exercise of the powers conferred by section 23 of the Assam Ganja and Bhang Prohibition Act, 1958 (Assam Act XXI of 1959),<sup>10</sup> the Governor of Assam is pleased to make the following rules for carrying out the purposes of the said Act after previous publication.

RULES

1. Short title. These rules may be called the Assam Ganja and Bhang Prohibition Rules, 1960.
2. In these rules, unless there is anything repugnant in the subject or the context:
  - (1) "Act" means the Assam Ganja and Bhang Prohibition Act, 1958.
  - (2) "Section" means a section of the Act.
  - (3) "Form" means a form appended to these rules.
3. Duties of Prohibition Committees. The duties to be performed by a Prohibition Committee constituted under section 18 of the Act shall, amongst others, be to:
  - (i) mobilize public opinion against addiction to ganja and bhang;
  - (ii) make a survey of ganja addicts and wean them from the pernicious habit; and
  - (iii) keep information about, and watch the movements of traffickers in illicit ganja and bhang and consumers thereof and to pass on, from time to time, such information to any officer referred to in section 11 of the Act for necessary action.
4. Jurisdiction of a Prohibition Committee. A Prohibition Committee shall exercise jurisdiction over the area for which it is constituted. Where there is more than one committee, the committee or committees constituted for any part of an area shall be subordinate to the one constituted for the area as a whole and all such committees shall co-operate with one another in the discharge of their duties.
5. Control over the Prohibition Committee. The Prohibition Committee shall be under the superintendence, direction and control of the Commissioner and they shall comply with such direction and order as may be issued by the Commissioner from time to time.
6. Grant of permits. (a) Permits for bhang only for the purposes enumerated in section 21 of the Act shall be granted by the Deputy Commissioner/Subdivisional Officer or any other officer authorized by the Deputy Commissioner/Subdivisional Officer in Form A on receipt of application in Form B subject to the conditions laid down in the permit.

The permit shall be granted for one year, or part thereof ending 31 March every year, at a time. Permits are renewable yearly.
- (b) The application form may be obtained from the office of the Deputy Commissioner/Subdivisional Officer or any other officer authorized in that behalf.

(c) The fee for a permit for possession of duty paid bhang for the manufacture of bona fide medicinal preparations; for possession and sale of bona fide medicinal preparations of bhang to his own patients by a medical practitioner, chemist, druggist, Kaviraj or Hakim and for possession and use for social and religious purposes, shall be 3.00 nP.

7. Issue of Licences. Licences may be issued to such persons as may be approved by government to stock bhang for the purpose of supplying the requirements of permit holders under rule 6 in Form C on payment of a licence fee of Rs 10 and subject to the terms and conditions laid down in sub-rules (1) to (6).

(1) The licence shall be granted for one year from 1 April to 31 March and be renewed, if necessary, on application made by the licensee.

(2) Bhang may be imported from a wholesale licensed vendor of either of the States of West Bengal, Bihar, Orissa, Uttar Pradesh or from any other places as may be selected from time to time by the Excise Commissioner on payment of duty.

(3) Such an import may be made only after the licensed vendor has

(a) produced a Chalan showing payment of the prescribed duty thereon;

(b) and has agreed to obey all the rules made by the authorities of the State from which the import is to be made.

(4) (a) A licensed vendor desiring to import bhang must apply for a pass to the Collector who, if he is satisfied that there is necessity for such import and that the duty has been paid, shall grant him a pass in Form D.

(b) Two copies of the said pass shall be sent to the Collector, or such other officer as the State Government concerned may direct, of the district from which the import is to be made.

(5) Such import shall not be made unless the importer has obtained from the proper authority in the exporting district a pass containing the following particulars:

(a) the gross weight of the package and the net weight of the bhang therein;

(b) the number of bags of bhang covered by the pass;

(c) the distinguishing marks by which such bags may be identified;

(d) the name and address of the persons to whom the delivery is to be given; and

(e) the route by which the bhang is to be transported.

(6) A pass specified in sub-rule (4) shall have validity for not more than two months from the date on which it is granted but the competent authority shall have power to extend the validity, if necessary.

8. Quota under permit. Permit holders shall obtain their quota of bhang from the licensed dealers only as mentioned in rule 7 above. The name of the licensed dealer from whom the permit holder will obtain his/her quota shall be mentioned in the permit.

9. Form of bond for execution.

The bond to be executed under section 7 of the Act shall be in the following form:

BOND

Bond to abstain from the commission of offences under the Assam Ganja and Bhang Prohibition Act, 1958. (See section 7)

Whereas I ..... son of ..... inhabitant of ..... has been called upon to enter into a bond to abstain from the commission of offences under section 3 and section 4 of the Assam Ganja and Bhang Prohibition Act, 1958, for the term of ..... I hereby bind myself not to commit any such offence during the said term and in case of my making default therein, I hereby bind myself to forfeit to the Governor of Assam the sum of Rupees .....

Dated this ..... day of .....

(Signature)

A bond with sureties.

We..... son of ..... of ..... do hereby declare ourselves sureties for the above named ..... that he will abstain from the commission of offences under section 3 and section 4 of the Assam Ganja and Bhang Prohibition Act, 1958, during the said term, and, in case of his making default therein, we bind ourselves, jointly and severally, to forfeit to the Governor of Assam the sum of Rupees ..... dated ..... this ..... day of ..... 19 .

(Signature)

10. Penalties. Whoever contravenes any of the terms and conditions of any permit or licence granted under these rules shall, in addition to the cancellation of the permit or licence, be liable to pay a fine not exceeding Rs 500 for such contravention.

FORM A

Permit for the purposes enumerated in section 21 of the Assam Ganja and Bhang Prohibition Act, 1958.

(Vide Rule 6)

Permit is hereby granted under the provisions of the Assam Ganja and Bhang Prohibition Act, 1958, to Shri/Shrimati ..... of ..... (hereinafter referred to as the permit holder) for (quantity) ..... on payment of fee of Rs ..... authorizing him/her to sell, import, transport, manufacture, possess or use Indian hemp plant, viz., bhang (Cannabis sativa L), for social, religious, medicinal and scientific purposes.

This permit is valid from ..... to .....

The permit holder shall obtain his/her requirement of the quantity of bhang authorized by this permit from .....

CONDITIONS

1. The permit holder shall not keep in his/her possession any quantity of bhang exceeding ..... at any time.
2. The permit holder shall have no claim whatsoever to the renewal of this permit after the expiry of the period for which it is granted.
3. The permit is liable to be cancelled for breach of any of the conditions of the permit.
4. In case this permit is cancelled or is not renewed on its expiry, the permit holder shall forthwith surrender the whole stock of unused bhang in his/her possession to the authority who granted the permit.

Deputy Commissioner of .....

Subdivisional Officer of .....

Seal of the office

Date .....

FORM B

Application for a permit for possession and use of bhang for the purposes enumerated in Section 21 of the Assam Ganja and Bhang Prohibition Act, 1958.

(Vide rule 6)

To

The .....

Sir,

I/we residing at ..... P.O. and P.S. ....  
District ..... request that I/we may be granted a permit to purchase ..... tolas of bhang for manufacture of bona fide medicinal preparations/ for sale of medicinal preparations of bhang to my/our own patients for social/religious and scientific purposes (state the purpose here), for the year ending 31 March, 196 .

I/we shall abide by the terms and conditions embodied in the permit which may be granted.

I/we hereby declare that no such permit previously held by me/us has been revoked or suspended or has failed to be renewed owing to a breach of the Act/Rules or conditions of the permit.

I declare that to the best of my knowledge and belief the information furnished herein is true.

(Signature of the applicant)



HEMP DRUG - FORM C

Licence to sell, by retail, bhang to permit holders

(Rule 7)

Hemp Drug - Form C  
Licence to sell by retail,  
Bhang.

Note. Counterfoil of the licence is to be signed by the licensee and filed in the Collector's Office.	District ..... No.of licence in the register ..... Name of vendor ..... Locality of shop .....
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District .....  
 No.of licence in the register .....  
 Name of Vendor .....  
 Locality of shop .....  
 Current from .....  
 to .....

Be it known that ..... Resident of ..... is hereby authorized by the undersigned Collector of ..... to open a shop for the sale by retail of bhang to the permit holders at ..... in ..... from ..... to ..... 31 March 19 .

It is required of the holder of this licence, as the condition of this licence remaining in force, that he duly and faithfully performs and abides by the following conditions and by the provisions of the Ganja and Bhang Prohibition Act, 1958 (Assam Act XXI of 1959) as subsequently amended from time to time and by all Notifications and Rules which have been or which may from time to time be published or made thereunder so far as they are applicable to this licence.

I. That he pays to government in advance a licence fee of Rupees ..... in the following manner:-

That he pays the same into the Treasury/Sub-treasury at .....

II. That he pays to government duty at the rate of ..... per seer on all quantities purchased by him.

III. That he does not effect sales of bhang in any other place than in the shop for which this licence is granted nor establish a second shop without a separate licence and that he does not sell any bhang except that purchased from a wholesale dealer and delivered to him from a licensed warehouse under the pass of a duly authorized officer which must accompany the drug during transit.

IV. That he does not procure any bhang from any other district except with the general or special sanction of the Collector authorizing him to procure the same from a particular warehouse.

V. That he does not sell more than the quantity specified in the permit to a permit holder.

VI. That he does not sell bhang on credit or receive any pledge for the payment of the price thereof or anything but money in exchange therefor.

Monthly fee Rs

VII. That he does not sell any bhang to anybody other than the permit holder.

Paid in advance Rs

VIII. That he does not allow any portion of the bhang to be consumed on the premises.

IX. That he has constantly fixed up, at the entrance of his shop, a signboard bearing the following inscription, in vernacular language of the district:-

Name of Vendor  
Licensed vendor of bhang for 19 .....

Retail rate .....

Received the licence and agreed to its conditions

X. That he keeps a regular and accurate account to be balanced at the close of each day in account book to be purchased at the Collector's Office.

XI. That he keeps on the premises in good condition accurate scales and accurate weights to weigh one-sixteenth of a tola, one-eighth of a tola, a quarter tola, half tola and one tola (180 grains of English troy weight) and that he weighs all bhang in the presence of and in view of the purchaser.

XII. That the licensee himself works in the shop and manages it himself and does not absent himself therefrom during the hours of sale, unless exempted from doing so under the special orders of the Collector.

Licensee .....

XIII. That he does not sublet his shop or transfer his licence to any other party without the previous sanction of the Collector or allow any person to sell bhang under this licence, whose name has not been previously registered in the Collector's Office and endorsed on this licence.

XIV. This licence may be cancelled "at will" under section 29 of the Excise Act.

N.B. Infraction of any of the above conditions or violation of any provision of the Assam Ganja and Bhang Prohibition Rules, 1960, will subject the holder of this licence to forfeiture of the licence and to all or any of the penalties prescribed by law or rule.



Pass for the import of bhang on which duty has been paid from a warehouse or licensed premises.

District

Duplicate

(To be handed over to the person to whom the pass is granted to accompany the consignment.)

1. Serial number of pass with date of issue.
2. Number and date of import permit (if any).
3. Name of article.
4. Warehouse  
Licensed premises.
5. Name of person to whom given.
6. Identification mark of the bag(s).

Quantity

Seers

Rate of duty

Pass the articles above described for import to the ..... at ..... in the district of ..... (the full duty/pass fee amounting to Rs ..... and cost price amounting to Rs .....

having been paid at ..... Treasury by Chalan  
Post Office Money Order

No ..... dated .....) by the following routes:

The pass is current for ..... days and must be returned within the period of currency to the Officer granting it.

The 19 .

(Signature of the officer granting the pass)

Pass for the import of bhang on which duty has been paid from a warehouse or licensed premises.

District

Triplicate

(To be sent to the Collector of the place of destination.)

1. Serial number of pass with date of issue.
2. Number and date of import permit (if any).
3. Name of article.
4. Warehouse  
Licensed premises.
5. Name of person to whom given.
6. Identification mark of the bag(s).

Quantity

Seers

Rate of duty

Pass the articles above described for import to the ..... at ..... in the district of ..... (the full duty/pass fee amounting to Rs ..... and cost price amounting to Rs .....

having been paid at ..... Treasury by Chalan  
Post Office Money Order

No ....., dated .....) by the following routes:

The pass is current for ..... days and must be returned within the period of currency to the officer granting it.

The 19 .

(Signature of the officer granting the pass)

A.P. SARWAN,  
Under-Secretary to the Government of Assam,  
Excise Department

E/NL.1962/63

ASSAM GANJA AND BHANG PROHIBITION (AMENDMENT) ACT, 1961

Notification No. L.JL.36/60

6 May 1961

The following Act of the Assam Legislative Assembly which received the assent of the Governor is hereby published for general information.

Received the assent of the Governor on 5 May 1961

ASSAM ACT No. XIII of 1961

THE ASSAM GANJA AND BHANG PROHIBITION (AMENDMENT) ACT, 1961

As passed by the Assembly

(Published in the Assam Gazette, Extraordinary, dated 6 May 1961)

An Act further to amend the ASSAM Ganja and Bhang Prohibition Act, 1958, (Assam Act XXI of 1959) 10/

WHEREAS it is expedient further to amend the Assam Ganja and Bhang Prohibition Act, 1958, hereinafter called the Principal Act, in the manner hereinafter appearing;

Preamble

It is hereby enacted in the twelfth year of the Republic of India as follows:

1. (1) This Act may be called the Assam Ganja and Bhang Prohibition (Amendment) Act, 1961.  
(2) It shall have the like extent as the Principal Act.  
(3) It shall come into force at once.
2. In the long title of the Principal Act, for the word "and" occurring in two places between the words "manufacture" and "sale" the word "or" shall be substituted.
3. In section 3 of the Principal Act, in clauses (b), (c), (d) and (e), for the word "and" occurring between the words "ganja" and "bhang", the word "or" shall be substituted.
4. In sub-section (1) of section 11 of the Principal Act for the words and punctuation (,) "any officer of the Departments of Excise and Police not below the rank of "Inspector", the words and the punctuation (,) "any officer of the Department of Excise not below the rank of Assistant Inspector of Excise, any officer of the Department of Police not below the rank of Sub-Inspector of Police" shall be substituted.

Short title  
extent and  
commencement

Amendment of  
the long title  
of Assam Act  
XXI of 1959

Amendment of  
section 3 of  
Assam Act XXI  
of 1959

Amendment of  
section 11 of  
Assam Act XXI  
of 1959

(signed) B.G. BARUA  
Secretary to the Government of Assam,  
Law Department

E/NL.1962/64

DELHI POPPY HEAD RULES, 1961  
Notification No.F.190(70)/60-Fin (E)

In exercise of the powers conferred by section 5 of the Opium Act, 1878 (Act I of 1878), the Chief Commissioner of Delhi is pleased to make the following rules, namely:

1. Short title and extent. These rules may be called the Delhi Poppy Head Rules, 1961.
2. They shall extend to the whole of the Union Territory of Delhi and shall come into force on 10 November 1961.

A. DEFINITIONS

In these rules, unless the context otherwise requires:

- (a) "Act means the Opium Act, 1878;
- (b) "Collector" means the Collector of Delhi or any officer specially empowered by the Chief Commissioner to exercise all or any of the powers of a Collector under these rules;
- (c) "Delhi" means the Union Territory of Delhi;
- (d) "District Excise Officer" means the officer appointed as such under the Punjab Excise Act 1914 (1 of 1914) as in force in Delhi;
- (e) "Dried poppy heads" means the capsules of the poppy (*Papaver somniferum* L) from which juice has been extracted, whether in their original form or cut, crushed or powdered but does not include poppy seed if separated from such poppy heads;
- (f) "Excise Commissioner" means the officer appointed under section 9 of the Punjab Excise Act, 1914 (1 of 1914) as in force in Delhi;
- (g) "Form" means a form appended to these rules;
- (h) "Licence" means a licence granted under these rules;
- (i) "Pass" means a pass granted under these rules;
- (j) "Permit" means a permit granted under these rules;
- (k) "Poppy heads" means the capsules of the poppy (*Papaver somniferum* L), whether in their original form or cut, crushed or powdered, and whether or not the juice has been extracted therefrom, but does not include poppy seeds if separated from the poppy heads;
- (l) "Retail sale" means the sale at any one transaction of poppy heads (whether dried or unanced) in any quantity not exceeding the maximum quantity prescribed in rule 3;
- (m) "Unanced poppy heads" means the capsules of the poppy from which the juice has not been extracted whether in their original form or cut, crushed or powdered, but does not include poppy seeds if separated from such poppy heads;
- (n) "Wholesale" means the sale at any one transaction of poppy heads (whether dried or unanced) in any quantity exceeding the maximum quantity prescribed in rule 3;
- (o) The expressions "transport", "import", "export" and "sale" shall have the same meaning as assigned to them in the Opium Act, 1878 (Act I of 1878);

**B. POSSESSION**

3. Any person may, without a licence, at any one time have in his possession:
  - (a) dried poppy heads in any quantity not exceeding 500 g; and
  - (b) unanced poppy heads in any quantity not exceeding 100 g.
4. Subject to the conditions of his licence, a person licensed in Form P.H.-1 to sell in wholesale quantities poppy heads, whether dried or unanced, may possess any quantity of such poppy heads lawfully obtained by him.
5. Subject to the conditions of his licence, a person licensed in Form P.H.2 to sell in retail quantities poppy heads, whether dried or unanced, may possess any quantity of such poppy heads lawfully obtained by him.
6. A licensed manufacturer may possess such quantities of poppy heads, dried and/or unanced as are specified in his licence under the Medicinal and Toilet Preparations (Excise Duties) Rules, 1956.
7. A person holding a licence under these rules or a licence in Form L-1 or L-2 under the Medicinal and Toilet Preparations (Excise Duties) Rules, 1956, who has, in the manner hereinafter prescribed, obtained a pass for the transport, import or export of poppy heads, dried or unanced, may, subject to the conditions of such pass, possess such poppy heads in any quantity not exceeding that specified in the pass.
8. (1) A person desiring to possess poppy heads, dried or unanced as the case may be, in excess of the maximum quantity prescribed in rule 3 and requiring a permit for the same shall submit to the District Excise Officer an application, stating:
  - (i) the reasons which render such possession necessary;
  - (ii) the quantity required;
  - (iii) the period for which possession is necessary.(2) On receipt of an application under sub-rule (1) the District Excise Officer may cause such enquiry to be made as he may deem necessary, and, on being satisfied that there is no objection to grant the permit applied for, he may grant the applicant a permit in Form P.H.- 3 on payment of a fee of Rs 1.  
(3) Subject to the conditions of his permit in Form P.H.-3 the permit holder may possess poppy heads, dried or unanced, as the case may be, in the quantities allowed and during the period specified in the permit.
9. Nothing in the foregoing rules applies to the possession of poppy heads, dried or unanced, on government account.
10. Save as provided for in the foregoing rules, the possession of poppy heads, dried or unanced, is prohibited in Delhi.

**C. TRANSPORT**

11. Any person may transport poppy heads, dried or unanced, lawfully obtained, in such quantity as he may possess without a licence under rule 3.
12. (1) Any person holding a licence under these rules or a licence in Form L-1 or L-2 under the Medicinal and Toilet Preparations (Excise Duties) Rules, 1956, desiring to transport poppy heads, dried or unanced, shall make an application to the Collector in that behalf and,



after obtaining a transport pass in Form P.H.-4 from the Collector or District Excise Officer, may transport poppy-heads, dried or unlanced, purchased by him from a person holding a licence in Form P.H.-1.

(2) On receipt of an application mentioned in sub-rule (1), the Collector or the District Excise Officer may cause such enquiry to be made as he deems necessary, and on being satisfied, may grant the applicant a pass in Form P.H.-4. The pass in Form P.H.-4 shall be in triplicate. One copy of the pass shall be forwarded to the licensee from whom supplies are to be obtained, one copy will be handed over to the applicant for accompanying the consignment and the third retained for the record.

13. Transport of poppy heads, dried or unlanced, by persons holding permit in Form P.H.-3 shall be covered by endorsement on the permit made by the licensed wholesale dealer from whom purchase has been made.

14. Poppy heads, dried or unlanced, may be transported by the government on their own account.

15. Save as provided for in the foregoing rules, the transport of poppy heads, whether dried or unlanced, from one place to another in Delhi is prohibited.

#### D. IMPORT

16. Poppy heads, dried or unlanced, may be imported by the government on their own account.

17. (1) A wholesale dealer holding licence in Form P.H.-1 desiring to import poppy heads, whether dried or unlanced, from any other state in India shall make an application to the Collector in that behalf.

(2) On receipt of an application under sub-rule (1), the Collector may cause such enquiry to be made as he deems necessary, and if he is satisfied that there is no objection, he may grant a permit in Form P.H.-5. The permit in Form P.H.-5 shall be in triplicate. One copy will be handed over to the applicant to accompany the consignment, the second will be forwarded to the Excise Authority of the place of export and the third retained for the record.

(3) On arrival of the consignment, the consignee shall inform the Excise Inspector or Excise Sub-Inspector of the circle accordingly and shall allow him to check the consignment and examine its contents:

Provided that in case of non-verification of the consignment within a week of the notice of its arrival the consignee may open it.

(4) The Excise Inspector or Sub-Inspector, as the case may be, shall make necessary entries on the reverse of the pass and return the same to the authority issuing the pass.

18. Save as provided for in the foregoing rules, the import into Delhi of poppy heads, dried or unlanced, in any quantity whatsoever is prohibited.

#### E. EXPORT

19. The government may export poppy heads, dried or unlanced, on their own account.

20. (1) A wholesale dealer holding licence in Form P.H.-1 desiring to export poppy heads, dried or unlanced, to any other State in India, shall make an application to the Collector in that behalf enclosing therewith an import permit or a no objection certificate from the competent Excise Authority of the place to which such poppy heads are proposed to be exported.

(2) On receipt of an application under sub-rule (1), the Collector may cause such enquiry to be made as he deems necessary, and on being satisfied that there is no objection he may grant the applicant a pass in Form P.H.-6. The pass shall be in triplicate. One copy shall be handed over to the applicant to accompany the consignment, the second copy forwarded to the Excise authority of the place of import and the third retained for record.

21. Save as provided for in the foregoing rules, the export of poppy heads, whether dried or unlanced, outside Delhi is prohibited.

F. GENERAL PROVISIONS REGULATING TRANSPORT, IMPORT AND EXPORT OF POPPY HEADS, WHETHER DRIED OR UNLANCED

22. Every consignment of poppy heads, whether dried or unlanced, to be imported or exported under these rules shall be properly packed, and firmly secured and sealed so that it cannot be opened and its contents cannot be tampered with or extracted without breakage of or damage to seals or packing material.

23. Every officer of the Excise Department not below the rank of an Excise Sub-Inspector and every Police officer not below the rank of head constable is authorized to detain, so long as may be necessary for the inspection of the same, and to inspect, any consignment of poppy heads, whether dried or unlanced, in transit through his jurisdiction and call for the production of the pass or permit under which such poppy heads are being transported, imported or exported.

24. If upon any inspection made under the powers conferred by this rule 23, any excess or deficiency between the quantity of poppy heads specified in the pass or order, and the actual quantity contained in any parcel or package to which the pass relates is found to exist, and the consignor, consignee or person in charge thereof cannot satisfactorily account for such excess or deficiency the fact shall forthwith be reported to the Collector and, pending the orders of the Collector, the parcel or package in question shall be detained by the inspecting officer.

25. If on weighing any consignment of poppy heads under the provisions of rules 12 and 18 or in the course of inspection made under the provisions of rule 23 a deficiency between the quantity specified in the pass or permit and the actual quantity contained in any parcel or package to which the pass or permit relates is found to exist, such allowance on account of driage shall be made in reduction of that deficiency as may, from time to time, be prescribed by the Excise Commissioner in that behalf.

26. No railway administration shall:

- (a) Receive or convey any consignment containing poppy heads which is not covered or accompanied by a transport, import, or export pass from an officer duly empowered to grant such pass, or
- (b) Convey such consignment otherwise than in accordance with the conditions laid down in such pass.

G. SALE

27. (1) Any person desiring to sell poppy heads, dried or unlanced, in wholesale, shall apply to the Collector for a licence in Form P.H.I.

(2) On receipt of an application under sub-rule (1), the Collector may cause such enquiry to be made as he deems necessary, and on being satisfied that there is no objection may, subject to the orders of the Excise Commissioner, if any, grant the applicant a licence in Form P.H.-1 on payment of a fee of Rs 100 (Rupees one hundred).

(3) The licensee shall make sales only in accordance with such conditions as may be laid down in the licence in Form P.H.-1.

- (4) The licensee may obtain his supplies from another wholesale licensee in Delhi or from other states.
28. (1) Any person desiring to sell poppy heads, dried or unlanced, in retail, shall make an application to the Collector for a licence in Form P.H.-2.
- (2) On receipt of an application under sub-rule (1), the Collector may cause such enquiry to be made as he deems necessary and on being satisfied that there is no objection may grant the applicant a licence in Form P.H.-2 on payment of a fee of Rs.50 (Rupees fifty) only.
- (3) The licensee shall make sales only in accordance with such conditions as may be laid down in the licence in Form P.H.-2.
- (4) The licensee may obtain his supplies from a wholesale licensee in Form P.H.-1.
29. The government may sell poppy heads, whether dried or unlanced, on their own account.
30. Any person holding a licence under these rules, or a licence in Form L-1 or L-2 under the Medicinal and Toilet Preparations (Excise Duties) Rules, 1956, may, with the sanction of the Collector of the District Excise Officer, sell to any such licensee poppy heads, dried or unlanced, left in his possession after the expiry of his licence.
31. Save as provided for in the foregoing rules, the sale in Delhi of poppy heads, dried or unlanced, is prohibited.

#### H. GENERAL PROVISIONS GOVERNING LICENCES

32. (i) Licences for the wholesale or retail sale of poppy heads, dried or unlanced, shall be granted for a period of one year only, but in any case shall, unless renewed, expire on 31 March following.
- (ii) Such licences may be renewed annually by the Collector on receipt of an application from the person concerned and on payment of the same fee as prescribed for the grant of a licence.
33. A dealer holding a licence in Form P.H.-1 shall not be granted a licence in Form P.H.-2 and vice versa.
34. No person to whom a licence has been granted shall be entitled to claim, as a matter of right, renewal thereof, and no claim shall be for damages or otherwise in consequence of refusal to renew a licence on the expiry of its term.
35. Persons holding a licence in Form P.H.-1 or P.H.-2 shall have to maintain daily account of receipts and sales of poppy heads in Form P.H.-7 or P.H.-8, respectively.

#### I. CANCELLATION OF LICENCE, PERMIT AND PASS

36. (1) Any licence, permit or pass granted under these rules may at any time be revoked, cancelled or suspended by the authority competent to grant the licence, permit or pass:
- (a) if it is transferred or sublet by the holder thereof, without permission of the Collector;
- (b) if any duty or fee payable by the holder thereof is not duly paid;
- (c) if there is breach by the holder thereof, or by any of his servants or by any one acting on his behalf with his express or implied permission, of any of the terms or conditions thereof;

(d) if the holder thereof is convicted of any offence punishable under the Punjab Excise Act 1914 (I of 1914) as in force in Delhi, or the Opium Act, 1878 (Act I of 1878) or the Dangerous Drugs Act, 1930 (Act II of 1930), or the Medicinal and Toilet Preparations (Excise Duties) Act, 1955;<sup>13/</sup>

(e) if the Collector is satisfied that the licence or permit is used as a cloak for illicit sales, including sales to opium smugglers.

(2) The holder of a licence or a permit shall not be entitled to any compensation for its cancellation or suspension under this rule or to the refund of any fee paid in respect thereof.

(3) When a licence or a permit is cancelled under sub-rule (1) the Collector may cancel any other licence, permit or pass granted to such person under the Act.

(4) If a licence becomes liable to cancellation under clauses (b), (c) and (d), of sub-rule (1), the Collector may permit the licensee to retain the licence on payment of a sum not exceeding Rs.200.

(5) When the payment referred to in sub-rule (4) has been duly made, no further proceedings shall be taken against such person in respect of the acts or omissions on account of which the licence or permit was liable to cancellation.

37. Whenever the Collector considers that any licence, permit or pass should be cancelled otherwise than under rule 36 (1), (a), (b), (c) or (d) he shall give fifteen days previous notice of his intention to cancel the licence, permit or pass and may, on the expiration of the notice cancel the licence, permit or pass.

38. A person holding a licence in Form P.H.-1 or P.H.-2 may surrender his licence on the expiration of one month's previous notice given by him in writing to the Collector of his intention to surrender the same.

J. DISPOSAL OF POPPY HEADS REMAINING WITH LICENSEE OR PERMIT HOLDER  
AFTER EXPIRATION OF THE TERM OF LICENCE OR PERMIT

39. (1) If any person, holding a licence in Form P.H.-1, P.H.-2, L-1 or L-2 has in his possession, after the expiration of his licence, any poppy heads which he is unable to dispose of under rule 30, he shall inform the Collector accordingly and on requisition of the Collector, surrender the same to such officer as the Collector may appoint in this behalf, and any person holding any such licence in Delhi shall, on the requisition of the Collector, be bound to buy the poppy heads at such price as the Collector may adjudge:

Provided that if the whole or a part of the poppy heads is declared by the Chemical Examiner to be unfit for use, the Collector shall cause the whole or that part of the poppy heads to be destroyed.

(2) If any person, holding a permit in Form P.H.-3 has in his possession, after the expiration of the term of his permit, any poppy heads in excess of the maximum quantity prescribed in rule 3 he shall surrender the excess quantity to such officer as the District Excise Officer may appoint in this behalf for being disposed of in the manner as the District Excise Officer deems proper.

K. APPEAL AND REVISION

40. Rule 26 of the Delhi Opium Rules, 1959, shall apply, mutatis mutandis, to appeals and revisions under these rules.

By Order

(signed) S.K. JAIN  
Under-Secretary Finance (Expenditure),  
Delhi Administration, Delhi

13/ Note by the Secretariat: E/NL.1956/100.

FORM P.H.-1

(Rules 4 and 27)

Licence for the possession and sale of dried\*/unlanced poppy heads in wholesale quantities by a wholesale dealer.

Register No. ....

Locality .....

Name of Licence holder .....

Name of salesman, if any .....

Exact description of licensed premises .....

.....

Licence is hereby granted under and subject to the provisions of the Opium Act, 1878 (Act I of 1878), and the rules made thereunder to ..... resident of

.....

..... (hereinafter called the licensee) on payment of a licence fee of Rs.100 (Rupees one hundred) only, authorizing him to buy, possess, and sell dried\*/unlanced poppy heads at ..... subject to the following conditions, namely:

\*Note: Strike out whichever is not applicable. This licence shall be valid in respect of the variety of poppy heads not struck out.

CONDITIONS

1. This licence shall remain in force from ..... to 31 March 19 ..... (both days inclusive).

2. The licensee shall not obtain poppy heads except as permitted under the Delhi Poppy Head Rules, 1961.

3. The licensee shall not keep poppy heads except at the licensed premises.

4. The licensee shall make sales only from his licensed premises.

5. No poppy-heads other than those obtained under this licence shall be possessed or sold by the licensee. He shall not open his shop for purposes of sale before 8 a.m. nor shall he keep it open after 7 p.m.

6. The licensee shall sell poppy heads only. He shall neither keep any stock of, nor sell, either mixed with poppy heads (which he is authorized to sell) or separately, chloral hydrate, butyl-chloral hydrate or para-aldehyde.

7. The licensee shall sell poppy heads in wholesale quantities only as prescribed in the Delhi Poppy Head Rules, 1961.

8. He shall make sales only to persons holding licences in form P.H.-1, P.H.-2, L-1 or L-2, or to persons holding permit in form P.H.-3.

9. At the entrance to the shop a signboard shall be affixed by the licensee on which shall be painted the name of the licensee, and the designation "Wholesale licensed vendor of dried\*/unlanced poppy heads".

- 10. The licensee shall not permit on his premises the consumption of poppy heads in any form.
- 11. The licensee shall not allow any person to conduct sales on his behalf unless the name of such person has previously been submitted by him for approval to the Collector, and has been endorsed by him on the licence.
- 12. The licensee shall maintain accurate and proper scales and weights and shall keep the same in good condition.
- 13. The licensee shall keep daily accounts of receipts and sales of poppy heads made by him in form P.H.-7.
- 14. The licensee shall produce his licence and accounts for inspection whenever required by any Excise Officer empowered under section 14 of the Opium Act, 1878, and shall permit any such officer to enter his premises at any hour of day or night. He shall allow such officer to check the stock of poppy heads and to take samples thereof, if the Inspecting Officer deems it necessary.
- 15. The licensee shall not sell, transfer or sublet the privileges conferred upon him by this licence, nor shall he admit any person as partner in the business of his licence save with the permission of the Collector.
- 16. On infringement of any of the above conditions or of any condition imposed on the licensee by the Opium Act, 1878, or by rules made thereunder, this licence is liable to cancellation and his stock of poppy heads liable to confiscation by the Collector.
- 17. In case this licence is not renewed on its expiry, the licensee shall forthwith hand over the unused stock of poppy heads to the Collector along with the accounts which he is required to keep under this licence.

COLLECTOR  
Delhi

Dated .....

Renewal to be endorsed.

FORM P.H.-2

(Rule 28)

Licence for the possession and sale of dried\*/unlanced poppy heads in retail quantities by a licensed retail dealer.

Register No. ....

Locality .....

Name of licence holder .....

Name of salesman, if any .....

Exact description of licensed premises .....

\* Strike out whichever is not applicable. This licence shall be valid in respect of the variety of poppy heads not struck out.

Licence is hereby granted under and subject to the provisions of the Opium Act, 1878 (Act I of 1878), and the rules made thereunder to ..... resident of ..... (hereinafter called the licensee) on payment of a licence fee of Rs. 50 (Rupees fifty) only authorizing him to buy, possess and sell dried\*/unlanced poppy heads at ..... subject to the following conditions, namely:

CONDITIONS

1. This licence shall remain in force from ..... to 31 March 19 ... (both days inclusive).
2. The licensee shall not obtain poppy heads except as permitted under the Delhi Poppy Head Rules, 1961.
3. The licensee shall not obtain poppy heads except at the licensed premises.
4. The licensee shall make sales only from his licensed premises.
5. No poppy heads other than those obtained under this licence shall be possessed or sold by the licensee. He shall neither open his shop for purposes of sale before 8.00 a.m., nor shall he keep it open after 7.00 p.m.
6. The licensee shall sell poppy heads only. He shall neither keep any stock of, nor sell, neither mixed with poppy heads (which he is authorized to sell) or separately, chloral hydrate, butyl-chloral hydrate or para-aldehyde.
7. The licensee shall sell poppy heads in retail quantities only as prescribed in the Delhi Poppy Head Rules, 1961.
8. At the entrance to the shop a signboard shall be affixed by the licensee on which shall be painted the name of the licensee, and the designation "Retail licensed vendor of dried\*/unlanced poppy heads".
9. The licensee shall not permit on his premises the consumption of poppy heads in any form.
10. The licensee shall not allow any person to conduct sales on his behalf unless the name of such person has previously been submitted by him for approval to the Collector, and has been endorsed by him on the licence.
11. The licensee shall maintain accurate and proper scales and weights and shall keep the same in good condition.
12. The licensee shall keep daily accounts of receipts and sales of poppy heads made by him in form P.H.-8.
13. The licensee shall produce his licence and accounts for inspection whenever required by any Excise Officer empowered under section 14 of the Opium Act, 1878, and shall permit any such officer to enter his premises at any hour of day or night. He shall allow such officer to check the stock of poppy heads and to take samples thereof, if the inspecting officer deems it necessary.
14. The licensee shall not sell, transfer or sublet the privileges conferred upon him by this licence, nor shall he admit any person as partner in the business of his licence save with the permission of the Collector.
15. On infringement of any of the above conditions or of any condition imposed on the licensee by the Opium Act, 1878, or by rules made thereunder, this licence is liable to cancellation and his stock of poppy liable to confiscation by the Collector.

16. In case this licence is not renewed on its expiry, the licensee shall forthwith hand over the unused stock of poppy heads to the Collector, along with the accounts which he is required to keep under this licence.

COLLECTOR  
Delhi

Dated .....

Renewal to be endorsed.

FORM P.H.-3

(Rule 8)

Special permit for purchase, transport and possession of dried\*/unlanced poppy heads.

No. .... Date .....

Name and address of the permit holder .....

.....

Locality where the poppy heads shall be possessed and used .....

.....

Quantity of dried\*/unlanced poppy heads allowed .....

.....

Purpose for which poppy heads are required .....

.....

Period of validity of the permit .....

Dated .....

DISTRICT EXCISE OFFICER  
Delhi

\* Strike out whichever is not applicable.



FORM P.H. -4  
(Rule 12)  
(Counterfoil)

Pass for the transport of dried\*/  
unlanced poppy heads.

Serial No. .... Dated .....19..

Sri\* is\*  
Sarvasri are

hereby authorized to transport  
from .....to .....  
dried\*/unlanced poppy heads as  
detailed below:

Total quantity of poppy heads to be transported	<u>Packages</u> No. Gross weight
---	--

FORM P.H. -4  
(Rule 12)  
(Original)

Pass for the transport of dried\*/  
unlanced poppy heads.

Serial No. .... Dated .....19..

Sri\* is\*  
Sarvasri are

hereby authorized to transport  
from .....to .....  
dried\*/unlanced poppy heads as  
detailed below:

Total quantity of poppy heads to be transported	<u>Packages</u> No. Gross weight
---	--

FORM P.H.-4  
(Rule 12)  
(Duplicate)

Pass for the transport of dried\*/  
unlanced poppy heads.

Serial No. .... Dated.....19..

Sri\* is\*  
Sarvasri are

hereby authorized to transport  
from .....to .....  
dried\*/unlanced poppy heads as  
detailed below:

Total quantity of poppy heads to be transported	<u>Packages</u> No. Gross weight
---	--

This pass is granted under and  
subject to the provisions of the  
Delhi Poppy Head Rules, 1961, and  
subject to the following conditions:

1. The consignment shall not be broken in transit.
  2. This pass shall remain in force up to and including ..... 19..
- Signature and designation of the officer issuing the pass.

\*Note: Strike out whichever is not applicable.

This pass is granted under and  
subject to the provisions of the  
Delhi Poppy Head Rules, 1961, and  
subject to the following conditions:

1. The consignment shall not be broken in transit.
  2. This pass shall remain in force up to and including .....19..
- Signature and designation of the officer issuing the pass.

\*Note: Strike out whichever is not applicable

This pass is granted under and  
subject to the provisions of the  
Delhi Poppy Head Rules, 1961, and  
subject to the following conditions:

1. The consignment shall not be broken in transit.
  2. This pass shall remain in force up to and including ..... 19..
- Signature and designation of the officer issuing the pass.

\*Note: Strike out whichever is not applicable.



<p style="text-align: center;">FORM P.H.-6 (Rule 20) (Counterfoil)</p>	<p style="text-align: center;">FORM P.H.-6 (Rule 20) (Original)</p>	<p style="text-align: center;">FORM P.H.-6 (Rule 20) (Duplicate)</p>						
<p>Permit for export of dried*/unlanced poppy heads.</p> <p>Serial No. .... Dated.....19..</p> <p><u>Sri*</u> <span style="float: right;"><u>is*</u></span> Sarvasri <span style="float: right;">are</span></p> <p>hereby authorized to export dried*/unlanced poppy heads as detailed below:</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 60%;">Total quantity of dried*/unlanced poppy heads to be exported.</td> <td style="width: 40%; text-align: center;"><u>Packages</u> No. Gross weight</td> </tr> </table>	Total quantity of dried*/unlanced poppy heads to be exported.	<u>Packages</u> No. Gross weight	<p>Permit for export of dried*/unlanced poppy heads.</p> <p>Serial No. .... Dated.....19..</p> <p><u>Sri*</u> <span style="float: right;"><u>is*</u></span> Sarvasri <span style="float: right;">are</span></p> <p>hereby authorized to export dried*/unlanced poppy heads as detailed below:</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 60%;">Total quantity of dried*/unlanced poppy heads to be exported.</td> <td style="width: 40%; text-align: center;"><u>Packages</u> No. Gross weight</td> </tr> </table>	Total quantity of dried*/unlanced poppy heads to be exported.	<u>Packages</u> No. Gross weight	<p>Permit for export of dried*/unlanced poppy heads.</p> <p>Serial No. .... Dated.....19..</p> <p><u>Sri*</u> <span style="float: right;"><u>is*</u></span> Sarvasri <span style="float: right;">are</span></p> <p>hereby authorized to export dried*/unlanced poppy heads as detailed below:</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 60%;">Total quantity of dried*/unlanced poppy heads to be exported</td> <td style="width: 40%; text-align: center;"><u>Packages</u> No. Gross weight</td> </tr> </table>	Total quantity of dried*/unlanced poppy heads to be exported	<u>Packages</u> No. Gross weight
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Total quantity of dried*/unlanced poppy heads to be exported	<u>Packages</u> No. Gross weight							
<p>This pass is granted under and subject to the provisions of the Delhi Poppy Head Rules, 1961, and subject to the following conditions:</p> <ol style="list-style-type: none"> <li>1. The consignment shall not be broken in transit.</li> <li>2. This pass shall remain in force up to and including .....19..</li> </ol> <p style="text-align: center;">Signature and designation of the officer issuing the pass.</p>	<p>This pass is granted under and subject to the provisions of the Delhi Poppy Head Rules, 1961, and subject to the following conditions:</p> <ol style="list-style-type: none"> <li>1. The consignment shall not be broken in transit.</li> <li>2. This pass shall remain in force up to and including .....19..</li> </ol> <p style="text-align: center;">Signature and designation of the officer issuing the pass.</p>	<p>This pass is granted under and subject to the provisions of the Delhi Poppy Head Rules, 1961, and subject to the following conditions:</p> <ol style="list-style-type: none"> <li>1. The consignment shall not be broken in transit.</li> <li>2. This pass shall remain in force up to and including .....19..</li> </ol> <p style="text-align: center;">Signature and designation of the officer issuing the pass.</p>						
<p>*Note: Strike out whichever is not applicable.</p>	<p>*Note: Strike out whichever is not applicable.</p>	<p>*Note: Strike out whichever is not applicable.</p>						

FORM P.H.-7

(Rule 35)

Register of accounts of dried\*/unlanced poppy heads purchased and sold by a licensed wholesale dealer

during the month of .....19..

Name of licensee.....

Date	Opening balance	Quantity purchased	Name and address of the licensee or cultivator from whom purchases made	No. and date of transport of import pass granted by the competent Excise authority	Total of Columns 2 and 3	Quantity sold	Name and address of purchaser or permit holder to whom sold	No. and date of transport or export/pass or special permit granted by the competent Excise authority	Closing balance	Remarks
1	2	3	4	5	6	7	8	9	10	11

\*Note: Strike out whichever is not applicable.

FORM P.H.-8

(Rule 35)

Register of accounts of dried\*/unlanced poppy heads purchased and sold by a licensed retail dealer  
 during the month of .....19...

Name of licensee .....

Date	Opening Balance	Name of the licensed whole- sale dealer from whom purchases made	Quantity purchased	No. and date of transport pass granted by the District Excise Officer	Total of Columns 2 and 3	Quantity sold	Closing balance	Remarks
1	2	3	4	5	6	7	8	9

\*Note: Strike out whichever is not applicable.

Maharashtra Government Gazette  
5 October 1961

MAHARASHTRA POPPY CAPSULES RULES, 1961

Home Department

Notification No. OPM 1060 (a)-III

Sachivalaya, Bombay-32, 30 September 1961

BOMBAY PROHIBITION ACT, 1949<sup>6/</sup>

In exercise of the powers conferred by clauses (b), (f), (hl), (i), (l3), (p) and (u) of sub-section (2) of section 143 of the Bombay Prohibition Act, 1949 (Bom. XXV of 1949), and of all other powers enabling it in that behalf the Government of Maharashtra hereby makes the following rules, the same having been previously published as required by sub-section (3) of the said section 143, namely:

PRELIMINARY

1. Short title and extent. (1) These rules may be called the Maharashtra Poppy Capsules Rules, 1961.

(2) They shall extend to the whole of the State of Maharashtra.

2. Definitions. In these rules, unless the context requires otherwise, -

(a) "Act" mean the Bombay Prohibition Act, 1949 (Bom. XXV of 1949);

(b) "Authorized Officer" means the Collector or an Officer authorized by the State government under the Act to grant licences, permits or passes under these rules;

(c) "Form" means a form appended to these rules;

(d) "Licence" means a licence granted under these rules;

(e) "Licensee" means a person holding a licence under these rules;

(f) "Pass" means a pass granted under these rules;

(g) "Permit" means a permit granted under these rules;

(h) "Poppy capsules" means the capsules of the poppy (*Papaver somniferum* L) whether in their original form or cut, crushed or powdered, and which have been lanced and dried or from which the juice has been extracted.

EXEMPTION

3. Exemption. Any person may, without a licence, permit or pass, possess, import, export or transport poppy capsules not exceeding one pound or 450 g. at any one time.

POSSESSION

4. Permit for Possession of Poppy Capsules. (1) Any person desiring to possess poppy capsules in excess of one pound or 450 g. for use for any bona fide scientific, research, educational, medicinal, domestic or such other purpose shall make an application to the authorized officer for a permit in that behalf.

(2) An application for a permit for the possession of poppy capsules shall contain the following particulars, that is to say:

- (i) the name and address of the applicant;
- (ii) the correct address of the place where poppy capsules will be kept or used;
- (iii) the quantity of poppy capsules required for use during one month;
- (iv) the period for which the permit is required;
- (v) the details of the use or uses for which the poppy capsules are required;
- (vi) the quantity of poppy capsules required to be possessed at any one time.

(3) On receipt of an application under sub-rule (1), the authorized officer shall make such enquiries as he deems necessary and if he is satisfied that there is no objection to grant the permit applied for, he may, subject to the orders of the State government and the director, if any, grant the applicant a permit in Form Poppy-1 on payment of a fee of Re 0.25 naye paise.

(4) A permit under sub-rule (3) shall be granted in respect of such quantity of poppy capsules as may be fixed by the authorized officer.

#### SALE

5. Licence for Possession and Sale of Poppy Capsules. (1) Any person desiring to possess and sell poppy capsules shall make an application to the authorized officer for a licence in that behalf.

(2) An application for a licence to sell poppy capsules shall contain the following particulars, that is to say:

- (i) the name and address of the applicant;
- (ii) the correct address of the place where poppy capsules will be kept;
- (iii) the total quantity of poppy capsules to be stocked at a time for sale;
- (iv) period for which the licence is required;
- (v) whether the applicant is a grocer or a bona fide trader.

(3) On receipt of an application under sub-rule (1), the authorized officer shall make such enquiries as he deems necessary, and if he is satisfied that there is no objection to grant the licence applied for, he may, subject to the orders of the State government and the director, if any, grant the applicant a licence in Form Poppy-2 on payment of a fee of rupee one.

(4) A licence under sub-rule (3) shall be granted in respect of such quantity of poppy capsules to be stocked at a time for sale as may be fixed by the authorized officer.

6. No licence or permit under the aforesaid rules shall be granted for any period beyond 30 June next following the date of the commencement of the licence or permit, as the case may be.

IMPORT, EXPORT AND TRANSPORT

7. Import Pass. (1) Any person desiring to import poppy capsules in excess of one pound or 450 g. shall make an application to the Authorized Officer for a pass in that behalf.

(2) An application for a pass shall contain the following particulars, that is to say:

(i) the name and address of the importer;

(ii) the number of the licence for sale, or of the permit for possession of poppy capsules held by the applicant;

(iii) the quantity of poppy capsules allowed to be possessed or stocked for sale under the permit or licence, as the case may be;

(iv) the quantity of poppy capsules to be imported;

(v) the place from which the poppy capsules are to be imported;

(vi) the place where the poppy capsules are to be imported

(vii) the route by which the poppy capsules will be imported;

(viii) the name and address of the person from whom poppy capsules are to be imported;

(ix) the purpose for which the poppy capsules are to be imported;

(x) the period for which the pass is required to be valid.

(3) On receipt of an application under sub-rule (1), the authorized officer shall make such enquiries as he deems necessary and if he is satisfied that there is no objection to grant the pass applied for, he may grant the applicant a pass in Form Poppy-3.

8. Export Pass. (1) Any person desiring to export poppy capsules in excess of one pound or 450 g. shall make an application to the authorized officer for a pass in that behalf, and shall along with the application forward an import pass or a no-objection certificate issued by an officer duly authorized in this behalf or by the Collector, of the place to which the poppy capsules are to be exported.

(2) An application for a pass shall contain the following particulars, that is to say:

(i) the name and address of the exporter;

(ii) the number of the licence for sale, or the permit for possession, of poppy capsules held by the applicant;

(iii) the quantity of poppy capsules to be exported;

(iv) the place from which the poppy capsules are to be exported;

(v) the place to which the poppy capsules are to be exported;

(vi) the name and address of the person to whom the poppy capsules are to be exported;

(vii) the route by which the poppy capsules will be exported;

(viii) the period for which the pass is required to be valid;

(ix) the number and date of the import pass or no-objection certificate granted by the officer duly authorized in that behalf or by the Collector, of the place to which the poppy capsules are to be exported.



(3) On receipt of an application under sub-rule (1), the authorized officer shall make such enquiries as he deems necessary and, if he is satisfied that there is no objection to grant the pass applied for, he may grant the applicant a pass in Form Poppy-4.

#### TRANSPORT

9. Transport without Pass. Any person holding a permit in Form Poppy-1 may, without a pass, transport otherwise than by way of consignment poppy capsules in a quantity not exceeding that which he is permitted to possess under his permit.

10. Transport Pass. (1) Save as provided in rule 9, any person desiring to transport poppy capsules in excess of a quantity mentioned in rule 3 shall make an application to the Authorized Officer for a pass in that behalf.

(2) An application for a pass shall contain the following particulars, that is to say:

- (i) the name and address of the applicant;
- (ii) the number of the licence for sale or the permit for possession, of poppy capsules held by the applicant;
- (iii) the quantity of poppy capsules to be transported;
- (iv) the place from which poppy capsules are to be transported;
- (v) the place to which poppy capsules are to be transported;
- (vi) the route by which the poppy capsules will be transported;
- (vii) the name and address of the person from whom poppy capsules will be obtained;
- (viii) the period for which the pass is required to be valid.

(3) On receipt of an application under sub-rule (1), the authorized officer shall make such enquiries as he deems fit and, if he is satisfied that there is no objection to grant the pass applied for, he may grant the applicant a pass in Form Poppy-5.

#### MISCELLANEOUS

11. No railway administration shall:

- (a) receive or convey poppy capsules which are not covered and accompanied by a pass or a permit, as the case may be, granted under these Rules or
- (b) convey poppy capsules otherwise than according to the route prescribed in such pass or permit.

12. No package containing poppy capsules during its transit in the course of their import, export or transport shall be opened or broken.

13. Any revenue officer, not inferior in rank to a Tahsildar or Mahalkari, or any officer of the Prohibition and Excise Department not inferior in rank to a Sub-Inspector, or any officer of the Police Department, not inferior in rank to a Head Constable may at any time examine any package or receptacle containing poppy capsules or any consignment of poppy capsules during its transit.

#### ACCOUNTS AND RETURNS

14. (1) The licensee shall keep accounts of poppy capsules received, sold and held in stock by him, from time to time, in Form Poppy-6. The accounts shall be plainly and correctly written up in books bound, paged and stamped with the seal of the Mamlatdar, Mahalkari or Tahsildar concerned.

(2) The licensee shall also maintain in Form Poppy-7 a register of purchasers of poppy capsules wherein he shall enter under his signature the number and date of licence or permit if any held by the purchaser or of the pass for export or transport held by him, full names and addresses of purchasers, the date of sale, the quantities of poppy capsules sold to them and the purpose for which they are sold. He shall, in cases where no permit or pass is required on the part of the purchaser for the possession, export or transport of the poppy capsules purchased by him, obtain in the said register the signature of the purchaser. He shall also enter in the permit of the permit holder the quantity of poppy capsules sold to him. The register shall be duly paged and sealed with the seal of the Mamlatdar, Mahalkari or Tahsildar concerned.

(3) The licensee shall preserve the said accounts, the register of purchasers and passes for not less than one year from the date of the last entry in the account book or the register of purchasers and shall produce them, together with the licence and any poppy capsules that may be in his possession at the time, for inspection on demand by the Collector, a Prohibition and Excise Officer not lower in rank than a Sub-Inspector or any other officer deputed by the Collector to inspect the same.

(4) The licensee shall, if so required by the Collector, furnish to the Collector or any other Officer duly authorized by him in this behalf, such information in connexion with the poppy capsules received, sold and held in stock by him.

FORM POPPY-1

(See rule 4)

Permit for possession of poppy capsules

Permit No. ....

Permit is hereby granted under and subject to the provisions of the Bombay Prohibition Act, 1949, and the rules made thereunder to ..... residing at ..... (Hereinafter called "the permit holder") authorizing him to possess poppy capsules at his premises situated at ..... in the district of ..... on payment of a fee of \*..... subject to the following conditions, namely:

Conditions

1. The permit holder shall not possess poppy capsules in excess of ..... at any one time and he shall not use more than ..... of poppy capsules during any calendar month.
2. The permit holder shall not obtain poppy capsules except from a person holding licence in Form Poppy-2 or from any place outside the State of Maharashtra on the strength of an import pass.
3. The permit holder shall not keep or store the poppy capsules at any place other than the premises specified above.
4. (1) The permit holder shall not use poppy capsules held under this permit except for the purposes specified below:
  - (a) .....
  - (b) .....
  - (c) .....

\*Here insert the fees in terms of rule 4 (3).

(2) The permit holder shall not sell any poppy capsules to any person.

5. The permit holder shall comply with all orders and directions which may be issued to him by the Collector relating to the subject matter of this permit.

6. The permit holder shall get entered in his permit the quantity of poppy capsules obtained by him:

(i) by the licensee if they are obtained from a licensee, and

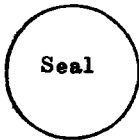
(ii) by the local Prohibition and Excise Officer if they are obtained from a place outside the State of Maharashtra under an import pass.

7. This permit shall be non-transferable and may be suspended or cancelled in accordance with the provisions of section 54 or 56 of the Bombay Prohibition Act, 1949.

8. In case the permit is surrendered, suspended or cancelled during its currency or is not renewed on its expiry, the permit holder shall forthwith surrender the whole of the unused stock of poppy capsules to the Collector.

9. This permit shall remain in force from ..... to ..... (both days inclusive).

Granted this                      day of                      19 .



Signature of the Officer granting the permit

Place:

(Reverse of the permit in Form Poppy-1)

Details of receipts of poppy capsules by the permit holder.

Total quantity of poppy capsules used during a month			Permitted to be		
Date	Quantity obtained from a licensee	Quantity imported	No. & date of import pass	Signature	
				of the selling licensee	of the local Prohibition and Excise Officer

FORM POPPY-2

(See rule 5)

Licence No. ....

Licence for the possession and sale of poppy capsules

Licence is hereby granted under and subject to the provisions of the Bombay Prohibition Act, 1949 and the rules made thereunder to ..... residing at ..... in the district of ..... (hereinafter called "the licensee") authorizing him to possess and sell poppy capsules at his shop situated at ..... in the district of ..... (hereinafter referred to as "the shop") during the period from ..... to ..... (both days inclusive), on payment of a fee of \*..... subject to the following conditions, namely:

Conditions

1. (1) The licensee shall not sell or keep for sale poppy capsules at any place other than the shop.

(2) The licensee shall not keep in stock at a time more than ..... of poppy capsules.

2. The licensee shall not sell poppy capsules to any person in excess of the quantity which such person is permitted to possess under the Maharashtra Poppy Capsules Rules, 1961, or to transport or export under a pass held by such person.

3. The licensee shall carry on the business of selling poppy capsules at the shop either personally or by an agent or servant duly authorized by him in this behalf in writing.

4. (1) The licensee shall keep accounts of poppy capsules received, sold and held in stock by him, from time to time, in Form Poppy-6. The accounts shall be plainly and correctly written up in a book bound, paged and sealed with the seal of the Mamlatdar, Mahalkari or Tahsildar concerned.

(2) The licensee shall also maintain in Form Poppy-7 a register of purchasers of poppy capsules wherein he shall enter under his signature, the number and date of the licence or permit if any held by the purchaser or of the pass for export or transport held by him, full name and addresses of purchasers, the date of sale, the quantities of poppy capsules sold to them and the purpose for which they are sold. He shall, in cases where no permit or pass is required on the part of the purchaser for the possession, export or transport of the poppy capsules purchased by him, obtain in the said register the signature of the purchaser. He shall also enter in the permit of the permit holder the quantity of poppy capsules sold to him. The register shall be duly paged and sealed with the seal of the Mamlatdar, Mahalkari or Tahsildar concerned.

5. The licensee shall preserve the said accounts, the register of purchasers and passes for not less than one year from the date of the last entry in the account book or the register of purchasers and shall produce them, together with this licence and any poppy capsules that may be in his possession at the time, for inspection on demand by the Collector, a Prohibition and Excise Officer not lower, in rank than a Sub-Inspector or any other officer deputed by the Collector to inspect the same.

6. The licensee shall, if so required by the Authorized Officer, furnish to the Authorized Officer such information in connexion with the poppy capsules received, sold and held in stock by him.

---

\*Here insert the fees in terms of rule 5 (3).



- (e) Purpose for which to be imported.
- (f) Route by which to be imported.

This pass is granted under and subject to the provisions of the Maharashtra Poppy Capsules Rules, 1961, and to the following conditions:

- (1) The packages or consignment of poppy capsules shall not be broken in transit.
- (2) This pass shall remain in force up to and including.....  
.....day of ..... 19 .

Signature and designation  
of the officer issuing the pass

FORM POPPY-3

(See rule 7)

Pass for import of poppy capsules  
(Duplicate)

(To be forwarded to the Inspector or Sub-Inspector of Prohibition  
and Excise in charge of the place of import)

Serial No. Date: 19 .

Shri\* ..... of .....  
Messrs.

is/are hereby authorized to import poppy capsules as stated below:

- (a) Quantity to be imported.
- (b) Place where to be imported.
- (c) Place from where to be imported.
- (d) Name and address of the person from whom to be imported.
- (e) Purpose for which to be imported.
- (f) Route by which to be imported.

This pass is granted under and subject to the provisions of the Maharashtra Poppy Capsules Rules, 1961, and to the following conditions :

- (1) The packages or consignment of poppy capsules shall not be broken in transit.
- (2) This pass shall remain in force up to and including .....  
.....day of .....19 .

Signature and designation  
of the officer issuing the pass

\* Name and full address of the importer.

FORM POPPY-3

(See rule 7)

Pass for import of poppy capsules

(Triplicate)

(To be forwarded to the Excise Authority of the place of export)

Serial No. Date: 19 .

Shri\* Messrs.:..... of .....

is/are hereby authorized to import poppy capsules as stated below:

- (a) Quantity to be imported.
- (b) Place where to be imported.
- (c) Place from where to be imported.
- (d) Name and address of the person from whom to be imported.
- (e) Purpose for which to be imported.
- (f) Route by which to be imported.

This pass is granted under and subject to the provisions of the Maharashtra Poppy Capsules Rules, 1961, and to the following conditions:

- (1) The packages or consignment of poppy capsules shall not be broken in transit.
- (2) This pass shall remain in force up to and including ..... day of ..... 19 .

Signature and designation of the officer issuing the pass

FORM POPPY-3

(See rule 7)

Pass for import of poppy capsules

(Quadruplicate)

(To be handed over to the applicant to accompany the Consignment)

Serial No. Date: 19 .

Shri\* Messrs. .... of .....

is/are hereby authorized to import poppy capsules as stated below:

\* Name and full address of the importer

- (a) Quantity to be imported.
- (b) Place where to be imported.
- (c) Place from where to be imported.
- (d) Name and address of the person from whom to be imported.
- (e) Purpose for which to be imported.
- (f) Route by which to be imported.

This pass is granted under and subject to the provisions of the Maharashtra Poppy Capsules Rules, 1961, and to the following conditions:

- (1) The packages or consignment of poppy capsules shall not be broken in transit.
- (2) This pass shall remain in force up to and including ..... day of ..... 19 ..

FORM POPPY-4  
(see rule 8)  
Pass for export of poppy capsules  
(Counterfoil)  
(For office use)

Serial No. \_\_\_\_\_ Date: \_\_\_\_\_ 19 ..  
Shri\*..... of .....  
Messrs.

is/are hereby authorized to export poppy capsules as stated below:

- (a) (i) Number of packages.
- (ii) Quantity to be exported.
- (b) Place from which to be exported.
- (c) Place to which to be exported.
- (d) Name and address of the person to whom to be exported.
- (e) Route by which to be exported.

This pass is granted under and subject to the provisions of the Maharashtra Poppy Capsules Rules, 1961, and to the following conditions:

- (1) The packages or consignment of poppy capsules shall not be broken in transit.
- (2) This pass shall remain in force up to and including.....day of.....19 ..

Signature and designation  
of the officer issuing the pass

\* Name and full address of the exporter

Signature and designation  
of the officer issuing the pass

FORM POPPY-4  
(See rule 8)  
Pass for export of poppy capsules  
(Duplicate)

(To be forwarded to the Inspector or Sub-Inspector of Prohibition and Excise of the place from which poppy capsules are to be exported)

Serial No. \_\_\_\_\_ Date: \_\_\_\_\_ 19 ..  
Shri\*..... of .....  
Messrs.

is/are hereby authorized to export poppy capsules as stated below:

- (a) (i) Number of packages.
- (ii) Quantity to be exported.
- (b) Place from which to be exported
- (c) Place to which to be exported.
- (d) Name and address of the person to whom to be exported.
- (e) Reute by which to be exported.

This pass is granted under and subject to the provisions of the Maharashtra Poppy Capsules Rules, 1961, and to the following conditions:

- (1) The packages or consignment of poppy capsules shall not be broken in transit.
- (2) This pass shall remain in force up to and including.....day of .....19 ..

Signature and designation  
of the officer issuing the pass

\* Name and full address of the exporter



FORM POPPY-4

(See rule 8)

Pass for export of poppy capsules

(Triplicate)

(To be forwarded to the Excise Authority of the place to which poppy capsules are to be exported)

Serial No. Date: 19 .

Shri\*..... of ..... Messrs.

is/are hereby authorized to export poppy capsules as stated below :

- (a) (i) Number of packages.
- (ii) Quantity to be exported.
- (b) Place from which to be exported.
- (c) Place to which to be exported.
- (d) Name and address of the person to whom to be exported.
- (e) Route by which to be exported.

This pass is granted under and subject to the provisions of the Maharashtra Poppy Capsules Rules, 1961, and to the following conditions :

- (1) The packages or consignment of poppy capsules shall not be broken in transit.
- (2) This pass shall remain in force up to and including ..... day of .....19 .

Signature and designation of the officer issuing the pass

\* Name and full address of the exporter.

FORM POPPY-4

(See rule 8)

Pass for export of poppy capsules

(Quadruplicate)

(To be handed over to the applicant to accompany the consignment)

Serial No. Date: 19 .

Shri\*..... of ..... Messrs.

is/are hereby authorized to export poppy capsules as stated below :

- (a) (i) Number of packages
- (ii) Quantity to be exported.
- (b) Place from which to be exported.
- (c) Place to which to be exported.
- (d) Name and address of the person to whom to be exported.
- (e) Route by which to be exported.

This pass is granted under and subject to the provisions of the Maharashtra Poppy Capsules Rules, 1961, and to the following conditions :

- (1) The packages or consignment of poppy capsules shall not be broken in transit.
- (2) This pass shall remain in force up to and including ..... day of .....19 .

Signature and designation of the officer issuing the pass

\* Name and full address of the exporter.

FORM POPPY-5

(See rule 10)

Pass for transport of poppy capsules.

(Counterfoil)

(For office use)

FORM POPPY-5

(See rule 10)

Pass for transport of poppy capsules.

(Duplicate)

(To be forwarded to the Inspector or Sub-Inspector of Prohibition and Excise in charge of the place from which the transport begins)

Serial No. Date: 19 . Serial No. Date : 19 .

Shri\*..... of ..... Shri\*..... of ..... Messrs. Messrs.

is/are hereby authorized to transport by rail/road/post to \*\* from \*\*\* .....Mds. .... Srs. of poppy capsules in ..... packages, by the following route, that is to say:

is/are hereby authorized to transport by rail/road/post to \*\* from \*\*\* .....Mds. .... Srs. of poppy capsules in ..... packages, by the following route, that is to say:

This pass is granted, under and subject to the provisions of the Maharashtra Poppy Capsules Rules, 1961, and to the following conditions:

This pass is granted, under and subject to the provisions of the Maharashtra Poppy Capsules Rules, 1961, and to the following conditions:

- (1) The packages or consignment of poppy capsules shall not be broken in transit. (2) This pass shall remain in force up to and including ..... day of .....19 .

- (1) The packages or consignment of poppy capsules shall not be broken in transit. (2) This pass shall remain in force up to and including ..... day of .....19 .

Signature and designation of the officer issuing the pass

Signature and designation of the officer issuing the pass

\* Name of the person or firm authorized \*\* Locality and district of destination of consignment \*\*\* Name and full address of the consigner

\* Name of the person or firm authorized \*\* Locality and district of destination of consignment \*\*\* Name and full address of the consignor

FORM POPPY-5

(See rule 10)

Pass for transport of poppy capsules.

(Triplicate)

(To be forwarded to the Inspector or Sub-Inspector of Prohibition and Excise of the place of destination)

FORM POPPY-5

(See rule 10)

Pass for transport of poppy capsules.

(Quadruplicate)

(To be handed over to the applicant to accompany the consignment)

Serial No. Date: 19 . Serial No. Date: 19 .

Shri\*..... of ..... Shri\*..... of ..... Messrs. Messrs.

is/are hereby authorized to transport by rail/road/post to \*\* from\*\*\*

is/are hereby authorized to transport by rail/road/post to\*\* from\*\*\*

..... Mds. .... Srs. .... of poppy capsules in ..... of poppy capsules in ..... packages, by the following route, viz :

This pass is granted, under and subject to the provisions of the Maharashtra Poppy Capsules Rules, 1961, and to the following conditions :

- (1) The packages or consignment of poppy capsules shall not be broken in transit. (2) This pass shall remain in force up to and including ..... day of .....19 .

- (1) The packages or consignment of poppy capsules shall not be broken in transit. (2) This pass shall remain in force up to and including ..... day of .....19 .

Signature and designation of the officer issuing the pass

Signature and designation of the officer issuing the pass

\* Name of the person or firm authorized \*\* Locality and district of destination of consignment \*\*\* Name and full address of the consignor

\* Name of the person or firm authorized \*\* Locality and district of destination of consignment \*\*\* Name and full address of the consignor

FORM POPPY-6

(See rule 14)

Accounts of poppy capsules received, sold and held in stock by the licensee

Name and address of the licensee :

Name and address of the shop :

No. of the licence :

Date	Opening balance	Quantity	Quantity received			Total of columns 2 and 3	Quantity exported		
			Name and address of the person from whom received	Number and date of the Import pass	Trans- port pass		Quantity	Name and address of the person to whom exported	No. and date of the export pass
1	2	3	4	5	6	7	8	9	

Quantity sold to licensees in the State			Quantity sold to permit holders	Quantity sold to individuals not holding permits	Total of columns 7, 10, 13 and 14	Closing balance	Remarks.	Signature of the licensee
Quantity	Name and address of the licensee to whom sold	No. and date of the transport						
10	11	12	13	14	15	16	17	18

14

FORM POPPY-7

(See rule 14)

Register of purchasers of poppy capsules

Name and address of the licensee:

Name and address of the shop:

Number of the licence:

---

Date	Name and address of the person to whom poppy capsules are sold	Number of the licence or permit, if any, held by the purchaser	Quantity sold	Purpose for which sold	Signature of the purchaser or the No. and date of the transport or export pass held by the purchaser	Remarks	Signature of the licensee
1	2	3	4	5	6	7	8
<hr/>							
<hr/>							

E/NL.1962/66

Notification No. OPM. 1060 (b)-III

30 September 1961

BOMBAY PROHIBITION ACT, 1949<sup>6/</sup>

No. OPM 1060 (b)-III.-In exercise of the powers conferred by section 139 of the Bombay Prohibition Act, 1949 (Bom.XXV of 1949), the Government of Maharashtra hereby withdraws the exemption from the provisions of the said Act granted in respect of capsules of poppy which have been lanced and dried and from which juice has been extracted, and for that purpose cancels Government Order in the Revenue Department, No. OPM. 1154, dated 13 November 1954.

By order and in the name of the Governor of Maharashtra,

J. R. CABRAL,  
Deputy Secretary to Government

E/NL.1962/67

MYSORE GANJA AND BHANG RULES, 1961

Notification No. PHS 115 EMT 59

8 August 1961

In exercise of the powers conferred by section 55 of the Coorg Prohibition Act, 1956 (Coorg Act I of 1956), as in force in the Coorg District, section 29 of the Hyderabad Intoxicating Drugs Act, 1333 F (Hyderabad Act IV of 1333 Fasli), as in force in the Hyderabad Area, Section 54 of the Madras Prohibition Act, 1938 (Madras Act X of 1938), as in force in the Madras Area, Section 57 of the Mysore Prohibition Act, 1948 (Mysore Act XXXVII of 1948),<sup>14/</sup> as in force in the Mysore Area and the Hyderabad Area, and in supersession of the Ganja and Bhang Rules in force in the Coorg District, Madras Area, Mysore Areas, and Hyderabad Areas, and in supersession of the existing Rules, the Government of Mysore hereby makes the following Rules, namely :

1. (1) These rules may be called the Mysore Ganja and Bhang Rules, 1961.
- (2) They shall extend to the whole of the State of Mysore except the Bombay Area.
- (3) They shall come into force at once.

2. (1) In these rules, unless the context otherwise requires :

(a) "Act" means the Coorg Prohibition Act, 1956, as in force in the Coorg District, or the corresponding law in force in the Hyderabad, Madras and Mysore Areas or the Hyderabad Intoxicating Drugs Act, 1333 Fasli, as the case may be ;

(b) "Authorized Officer" means an officer duly authorized by the Deputy Commissioner to grant a permit under rules 5 and 6 as the case may be ;

14/Note by the Secretariat: E/NL.1950/83.

- (c) "Form" means a form appended to these rules;
- (d) "Licence" means a licence granted under these rules;
- (e) "Pass" means a pass granted under these rules;
- (f) "Permit" means a permit granted under these Rules;
- (g) "Registered Medical Practitioner" means any medical practitioner practising the Allopathic system of medicine, surgery and obstetrics in the State of Mysore and registered under the law for the time being in force governing the registration of medical practitioner;

(2) Words and expressions used but not defined in these rules shall have the meanings respectively assigned to them in the said Act.

#### POSSESSION

3. (1) Any registered medical practitioner desiring to possess bhang for use as an ingredient in any medicine and to sell medicines containing bhang on prescription shall make an application to the Deputy Commissioner of the district in that behalf.

(2) On receipt of an application under sub-rule (1), the Deputy Commissioner shall make such enquiries as he deems necessary and if he is satisfied that there is no objection to grant the licence applied for, he may grant the applicant a licence in Form B-I on payment of a fee of rupees twenty only.

4. (1) Any person on behalf of an institution or any manufacturer of medicines desiring to possess bhang for use as an ingredient in the preparation of any medicine and to sell medicines containing bhang shall make an application to the Deputy Commissioner of the district for a licence in that behalf.

(2) On receipt of an application under sub-rule (1), the Deputy Commissioner shall make such enquiries as he deems necessary and if he is satisfied that there is no objection to grant the licence applied for, he may grant the applicant a licence in Form B-II on payment of a fee of rupees twenty only.

4-A. (1) Any person desiring to possess and sell medicines containing bhang shall make an application to the Deputy Commissioner of the district for a licence in that behalf.

(2) On receipt of an application under sub-rule (a), the Deputy Commissioner shall make such enquiries as he deems necessary and if he is satisfied that there is no objection to grant the licence applied for, he may grant the applicant a licence in Form B-II-A, on payment of a fee of rupees twenty only.

5. (1) Any person desiring to possess ganja or bhang for the purposes of personal consumption shall make an application for a permit to the Deputy Commissioner of the district or the officer authorized by him in this behalf.

(2) On receipt of an application under sub-rule (1), the Deputy Commissioner or the authorized officer as the case may be, shall make such enquiries as he deems necessary and if he is satisfied that there is no objection to grant the permit applied for, he may grant the applicant a permit in Form B-III on payment of a fee of rupee one only:

Provided that no such permit shall be granted except on the recommendation of the Medical Board or the Medical Officer, as the case may be, appointed in that behalf.

(3) A permit in Form B-III may be granted either for ganja or bhang but shall not be granted for the possession of both ganja and bhang.

6. (1) An owner of cattle or any domestic animals desiring to possess ganja or bhang for administering it to his cattle or domestic animals on medical grounds may make an application to the Deputy Commissioner of the district for a permit or the officer authorized by him in this behalf.

(2) On receipt of an application under sub-rule (1), the Deputy Commissioner or the authorized officer as the case may be, shall make such enquiries as he deems necessary and if he is satisfied that there is no objection to grant the permit applied for, he may grant the applicant a permit in Form B-IV on payment of a fee of rupee one only:

Provided that no such permit shall be granted unless the administration of ganja or bhang has been recommended for the cattle or domestic animals by the Veterinary Surgeon or Assistant Veterinary Surgeon appointed by the Government in that behalf.

7. (1) A licence in Form B-I or B-II shall be granted in respect of such quantity of bhang as may be fixed by the Deputy Commissioner in this behalf.

(2) A permit in Form B-III shall be granted in respect of such quantity of ganja or bhang as may be fixed by the Deputy Commissioner or the authorized officer as the case may be, in accordance with the orders and directions issued by the Government or the Excise Commissioner from time to time:

Provided that the aggregate quantity that can be brought in a month shall not exceed 175 g of ganja or bhang and the quantity that can be possessed at any one time shall not exceed 24 g of ganja or bhang as the case may be.

(3) A permit in Form B-IV shall be in respect of such quantity of ganja or bhang, as the case may be, as is necessary in each case having due regard to the number of cattle or domestic animals, the dosage prescribed and the recommendation of the Veterinary Surgeon or the Assistant Veterinary Surgeon.

8. (1) No licence or permit under the aforesaid provision shall be granted beyond 30 June next following the date of the commencement of the licence or permit as the case may be.

(2) No licence or permit shall be granted to a person under 21 years of age.

#### SALE

9. Ganja or bhang will be issued only from the Government Treasuries or from such other places as the Government may from time to time direct.

10. Ganja and bhang may also be obtained from such other places outside the State as the Excise Commissioner may direct.

11. A person holding a licence in Form B-I or B-II or B-II-A, may sell medicines containing bhang to the extent and subject to the conditions laid down in this licence.

#### IMPORT

11- A. Subject to the provisions of rule 10 and any other rule in this behalf, no ganja or bhang shall be imported from any place outside the State of Mysore:

Provided that a person holding a licence in Form B-I or B-II or B-II-A may under pass granted under rule 11-B (2) import medicines containing ganja or bhang from any other State in India.

11-B. (1) Any person, holding a licence in Form B-I or B-II or B-II-A, desiring to import medicines containing ganja or bhang from any other State in India shall make an application to the Deputy Commissioner in that behalf.

(2) On receipt of an application under sub-rule (1), the Deputy Commissioner shall make such enquiries as he deems necessary and, if he is satisfied that there is no objection to grant the pass applied for, he may grant the applicant a pass in Form B.



EXPORT

11-C. (1) Any person desiring to export medicines containing ganja or bhang shall make an application to the Deputy Commissioner of the district in that behalf and shall along with the application forward an import pass or a "No Objection Certificate" from the Chief Excise authority of the place to which such medicines are to be exported.

(2) On receipt of an application under sub-rule (1), the Deputy Commissioner shall make such enquiries as he deems necessary and if he is satisfied that there is no objection to grant the pass applied for, he may grant the applicant a pass in Form C.

TRANSPORT

12. (1) Any person desiring to transport ganja or bhang or medicine containing bhang shall make an application for a pass in that behalf as provided in sub-rule (2):

Provided that no such pass shall be necessary when transport of ganja or bhang or medicine containing bhang is permitted under the licence or permit granted under these rules.

(2) Save as provided in sub-rule (1), a person holding a licence in Form B-I or B-II or B-II-A, shall make an application to the Deputy Commissioner who granted him such licence. A person holding a permit in Form B-III shall make such application to the Deputy Commissioner or authorized officer who granted him such permit and any other person shall make an application to the Deputy Commissioner of the place from which ganja or bhang or medicine containing bhang is to be transported and shall in the case of a transport from one district to another district forward a "No Objection Certificate" of the Deputy Commissioner of such other district to which ganja or bhang or medicine containing bhang is to be transported.

(3) On receipt of an application under sub-rule (2), the Deputy Commissioner or the authorized officer, as the case may be, shall make such enquiries as he deems fit and, if he is satisfied that there is no objection to grant the pass applied for, he may grant the applicant a pass in Form A.

13. No packet containing ganja or bhang or medicine containing bhang as the case may be shall be opened during its transport

Provided that nothing contained in this rule shall apply to persons holding a permit in Form B-III.

14. (1) Where ganja or bhang or medicine containing bhang is transported from one district to another, the transporter not being the railway administration shall, on arrival of the packages of ganja or bhang or medicine containing bhang, at their destination, present them together with the pass covering such transport for examination to the Deputy Commissioner or any other officer duly authorized in that behalf.

(2) If after examination of the packages the Deputy Commissioner or the officer authorized under sub-rule (1) is satisfied that the packages have not been tampered with in transit and that the number of packages and their weight correspond with the number of packages and their weight specified in the pass, the packages together with the pass will be handed over to the transporter. If the Deputy Commissioner is not so satisfied, the packages shall be detained and dealt with according to the orders of the Excise Commissioner.

15. No Railway administration shall:

(a) receive or convey ganja or bhang or medicine containing bhang which is not covered and accompanied by transport pass from an officer duly empowered in this behalf, or,

(b) convey ganja or bhang or medicine containing bhang otherwise than:

- (i) direct and in custody of a railway official up to the station at which ganja or bhang or medicine containing bhang should leave the railway, and
- (ii) according to the route prescribed in such pass.

MISCELLANEOUS

16. (1) The bulk of consignment of ganja or bhang or medicine containing bhang in transit in the course of importation or exportation shall not be broken and any revenue officer, not inferior in rank to a revenue inspector or any inspector, Assistant Inspector of Excise, or any head constable in the Police Force may at any time examine such consignment.

(2) If, after such examination the officer is satisfied that the packages have not been opened or tampered with in transit, and that the number of packages and their weight correspond with the number of packages and their weight specified in the pass, the consignment shall be allowed to proceed. If the said officer is not satisfied, the consignment shall be detained and dealt with according to the orders of the Excise Commissioner.

17. In the case of preparations and admixtures containing bhang (which are not manufactured drugs under the Dangerous Drugs Act, 1930) the bottles, phials, packages or other containers of such preparations and admixtures or the labels affixed to them shall plainly exhibit:

(a) the actual quantity of bhang, as the case may be, present in each such bottle, phial, package or container, or

(b) sufficient particulars thereof to admit of the ready calculation of such quantity.

18. Notwithstanding anything contained in these rules, it shall be lawful for any person to buy, possess, transport, consume or use any medicine containing bhang in such quantity as may at one time be dispensed or sold to him in accordance with the prescription of a registered medical practitioner.

19. Any person may without any permit or licence purchase, possess and transport ganja or bhang or medicine containing bhang on behalf of any infirm or invalid person who is physically not fit to purchase, possess and transport ganja or bhang or medicine containing bhang as the case may be, provided that:

(i) the infirm or invalid person holds a permit in Form B-III or a prescription from a registered medical practitioner for obtaining medicine containing bhang.

(ii) the person purchasing, possessing and transporting ganja or bhang on behalf of the infirm or invalid person otherwise than on a prescription has got a written authority in Form-D from the infirm or invalid person to do so on his behalf, and

(iii) the Deputy Commissioner or the officer authorized to grant permits in Form B-III has given his previous approval to such authority.

20. Notwithstanding anything contained in the foregoing rules, no licence, permit or pass shall be necessary for the purchase, possession, transport and sale of ganja or bhang by or on behalf of Government Treasuries established under rule 9.

21. Any licence, permit, authority or permission granted or issued before the issue of these rules for the purposes covered by these rules shall continue to be in force for the period of such permit or licence.

By Order and in the name of the Governor of Mysore

B. V. Iyengar  
Secretary to Government,  
Planning, Housing and Social Welfare Department

FORM B-I.

Licence No. ....

Licence for the possession of bhang to a registered medical practitioner for use as an ingredient of any medicine and for the sale of medicines containing bhang on prescription

Licence is hereby granted under and subject to the provisions of "the Coorg Prohibition Act, as in force in Coorg District/the Hyderabad Intoxicating Drug Act, 1333F, as in force in Hyderabad Area/the Madras Prohibition Act as in force in Madras Area/the Mysore Prohibition Act, 1948, as in Mysore Area and Hyderabad Area", and the rules, regulations and orders made thereunder to Shri ..... of ..... (hereinafter called the "licensee") on payment of a licence fee of Rs. .... authorizing him to buy, transport and possess bhang and to use it as an ingredient of any medicine, and to sell medicines containing bhang in his dispensary, situated at ..... in the Taluks of ..... in the ..... District in the State of Mysore, subject to the following conditions, namely:

CONDITIONS

1. This licence shall remain in force from ..... to ..... (both days inclusive).

2. The licensee shall not obtain bhang except from a depot established under rule 9 of the Mysore Ganja and Bhang Rules, 1961:

Provided that the licensee may, in any special case be permitted to obtain bhang from any other place with the previous approval of the Excise Commissioner:

Provided further that the licensee may obtain his requirements of medicines containing bhang from any licensee who is permitted to sell such medicines under the Mysore Ganja and Bhang Rules, 1961, or may import the same from any other State in India in accordance with the rules made in that behalf.

3. (1) The licensee shall not purchase, during any quarter commencing from the 1st day of July, bhang exceeding ..... grams and shall not possess it at any time in excess of double this quantity:

Provided that where the licensee fails to purchase any quantity of bhang which he is authorized to purchase during a quarter he shall not be entitled to purchase the same at any time thereafter during the licence period except during the quarter next following.

(2) The licensee shall get the details of the purchase entered in the schedule hereto appended by the Officer-in-charge of the Treasury before he removes from the Treasury bhang purchased by him.

4. The licensee shall not use or sell bhang except as an ingredient of any medicine prescribed and dispensed by him for his patients. He shall not dispense any medicine containing bhang except under a prescription issued by him and in the manner laid down in such prescription.

5. The licensee shall not keep bhang and medicines containing bhang except at his dispensary.

6. No bhang other than the bhang obtained under this licence shall be transported, possessed or used by the licensee.

7. The privileges of purchase, possession and transport of bhang granted under this licence shall extend only so far as they are incidental to its use in accordance with this licence.

8. (a) The licensee shall keep monthly accounts of the quantities of bhang purchased and used and of the balance held in stock by him in such form as may be prescribed by the Excise Commissioner. The accounts shall be plainly and correctly written up in a bound book, paged and stamped with the seal of the Deputy Commissioner. Similar accounts in respect of medicines containing bhang prepared, purchased or imported by the licensee, shall, if required by the Excise Commissioner, be maintained from day to day in such form as may be prescribed by him.

(b) The licensee shall file and preserve for one year the said accounts, passes, and the prescriptions in original in which he has prescribed bhang as one of the ingredients of any medicines and shall produce them for inspection along with the bhang held by him in balance, at any time when the Deputy Commissioner or any other officer duly empowered in this behalf calls upon him to do so.

9. The licence may be suspended or cancelled in accordance with the provisions of Act.

10. In case this licence is cancelled during the currency of the period for which it is granted or is not renewed on its expiry, the licensee shall forthwith hand over all the unused stock of bhang and of medicines containing bhang to the Deputy Commissioner and the licensee shall also hand over to the Deputy Commissioner all accounts, passes and prescriptions in original which he is required to keep and preserve under this licence.

Granted this ..... day of .....19.....

Seal of the  
Deputy Commissioner

.....  
Deputy Commissioner,  
.....District.

Place:

2

SCHEDULE

License No.....

Name of the Treasury.....

Name of the licensee.....

Address .....

Aggregate quantity of bhang allowed to be purchased during each quarter

Date	Quantity purchased .	Progressive total of purchases for each quarter	Signature of the Officer-in-charge of the Treasury
1	2	3	4

FORM B-II.

License No. ....

Licence for the possession of bhang required on behalf of any institution or a manufacturer of medicines approved by the Deputy Commissioner, for use as an ingredient of any medicine and for the sale of medicines containing bhang.

Licence is hereby granted under and subject to the provisions of "the Coorg Prohibition Act, as in force in Coorg District/the Hyderabad Intoxicating Drugs Act, 1333F, as in force in Hyderabad Area/the Madras Prohibition Act as in force in Madras Area/the Mysore Prohibition Act, 1948, as in Mysore Area and Hyderabad Area", and the Rules, Regulations and Orders made thereunder to ..... of ..... (hereinafter called "the licensee") in respect of\* ..... (hereinafter called the said institution/manufactory/chemist) on payment of a licence fee of Rs. ....authorizing him to buy, transport and possess bhang and to use it as an ingredient of any medicine and to sell medicines containing bhang in the premises of the said institution/manufactory/chemist, situated at ..... in the Taluks of ..... in the ..... District in Mysore State, subject to the following conditions, namely :

CONDITIONS

1. This licence shall remain in force from ..... to .....(beth days inclusive).

2. The licensee shall not obtain bhang except from a Treasury established under rule 9 of the Mysore Ganja and Bhang Rules, 1961:

Provided that the licensee may, in any special case, be permitted to obtain bhang from any other place with the previous approval of the Excise Commissioner:

Provided further that the licensee may obtain his requirements of medicines containing bhang from any licensee who is permitted to sell such medicines under the Mysore Ganja and Bhang Rules, 1961, or may import the same from any other State in India in accordance with the rules made in that behalf.

3. (1) The licensee shall not purchase during any quarter commencing from the first day of July bhang exceeding ..... grams and shall not possess at any time in excess of double this quantity:

Provided that where the licensee fails to purchase any quantity of bhang which is authorized to purchase during any quarter he shall not be entitled to purchase the same at any time thereafter during the licence period except during the quarter next following.

(2) The licensee shall get the details of the purchase entered in the schedule hereto appended by the Officer-in-charge of the Treasury before he removes from the Treasury the bhang purchased by him.

4. The licensee shall not use or sell bhang except as an ingredient of any medicine. He shall not sell medicines containing bhang to any person other than a person holding (i) a licence to sell medicines containing bhang, or (ii) a prescription issued by a registered medical practitioner in that respect; nor shall he sell such medicines containing bhang in a manner different from that laid down in such licence or prescription.

5. The licensee shall not keep bhang and medicines containing bhang except at the premises of the said institution/manufactory/chemist.

\* Here specify name of institution or manufactory in respect of which bhang is required

6. No bhang other than the bhang obtained under this licence shall be transported, possessed or used by the licensee.

7. The privileges of purchase, possession and transport of bhang granted under this licence shall extend only so far as they are incidental to its use in accordance with this licence.

8. (1) The licensee shall keep daily accounts of the quantities of bhang purchased and used by him in such form as may be prescribed by the Excise Commissioner. The accounts shall be plainly and correctly written up in a bound book, paged and stamped with the seal of the Deputy Commissioner. Similar accounts in respect of medicines containing bhang prepared, purchased or imported by the licensee shall also be maintained from day to day in such form as may be prescribed by the Excise Commissioner, if so required by him.

(2) The licensee shall file and preserve for one year the said accounts, passes and copies of the prescriptions against which he sold the bhang as one of the ingredients of any medicine and shall produce them for inspection, along with the bhang and the medicine containing bhang held by him in balance, at any time when the Deputy Commissioner or any other officer duly empowered in this behalf calls upon him to do so.

9. Except with the permission of the Deputy Commissioner, the licensee shall not sell, transfer or sublet the privileges conferred upon him by this licence nor shall he admit any person as his partner in the business of his manufactory.\*

10. This licence may be suspended or cancelled in accordance with the provisions of the Act.

11. In case this licence is cancelled during the currency of the period for which it is granted or is not renewed on its expiry, the licensee shall forthwith hand over the whole of the unused stock of bhang and of the medicines containing bhang to the Deputy Commissioner. The licensee shall also hand over to the Deputy Commissioner all accounts, passes and prescriptions in original which he is required to keep and preserve under this licence.

Granted this .....day of..... 19 .....

.....  
Deputy Commissioner,  
.....District

Seal of the  
Deputy Commissioner

Place : \_\_\_\_\_

SCHEDULE

Licence No ..... Name of the Treasury.....  
Name of the licensee.....  
Address .....

\* To be struck out where not applicable.

Aggregate quantity of bhang allowed to be purchased during each quarter.

Date	Quantity purchased	Progressive total of purchases for each quarter	Signature of the Officer-in-charge of the Treasury
1	2	3	4

FORM B-II-A.

Licence for the possession and sale of medicines containing bhang by dealer

Licence is hereby granted under and subject to the provisions of "the Coorg Prohibition Act, as in force in Coorg District/the Hyderabad Intoxicating Drugs Act, 1333F, as in force in Hyderabad Area/the Madras Prohibition Act as in force in Madras Area/the Mysore Prohibition Act, 1948, as in Mysore Area and Hyderabad Area", and the Rules, Regulations and Orders made, thereunder to ..... of ..... (hereinafter called "the licensee") on payment of a licence fee of Rs..... authorizing him to buy, transport, possess and sell medicines containing bhang at his premises, situated at ..... in the Taluka of ..... in the District/in Mysore State, subject to the following conditions, namely:

CONDITIONS

1. This licence shall remain in force from ..... to ..... (both days inclusive).
2. The licensee shall not obtain medicines containing bhang except as permitted under the Mysore Ganja and Bhang Rules, 1961.
3. The licensee shall not sell medicines containing bhang to any person other than a person holding (i) a licence in Form B-I or B-II or B-II-A or (ii) a prescription issued by a registered medical practitioner in that respect; nor shall he sell such medicines in a manner different from that laid down in such licence or prescription.
4. The licensee shall not keep medicines containing bhang except at the above said premises.
5. No medicines containing bhang other than those obtained under this licence shall be transported, possessed or sold by the licensee.
6. The licensee shall keep daily accounts of the quantities of medicines containing bhang purchased and sold by him in such form as may be prescribed by the Excise Commissioner, if so required by him. The accounts shall be plainly and correctly written up in a bound book, pagged and stamped with the seal of the Deputy Commissioner.
7. The licensee shall file and preserve for one year the said accounts, passes, and copies of the prescriptions against which he sold medicines containing bhang and shall produce them for inspection along with the stock of medicines containing bhang held by him in balance at any time when the Deputy Commissioner or any other officer duly empowered in this behalf calls upon him to do so.

8. Except with the permission of the Deputy Commissioner, the licensee shall not sell, transfer or sublet the privileges conferred upon him by this licence nor shall he admit any person as his partner in the business of his licence.

9. This licence may be suspended or cancelled in accordance with the provisions of the Act.

10. In case this licence is cancelled during the currency of the period for which it is granted or is not renewed on its expiry, the licensee shall forthwith hand over the whole of the unused stock of medicines containing bhang to the Deputy Commissioner. The licensee shall also hand over to the Deputy Commissioner all accounts, passes and prescriptions in original which he is required to keep and preserve under this licence.

Granted this ..... day of ..... 19 .....

Seal of the  
Deputy Commissioner

.....  
Deputy Commissioner,  
.....District.

FORM B-III.

Permit for possession of ganja bhang for personal consumption in the State of Mysore

(A)

- 1. Permit holder's name .....
- 2. Father's/Husband's name .....
- 3. Religion or caste .....
- 4. Apparent age .....
- 5. Address in full .....
- 6. Occupation .....

(B) Reference to medical certificate

- 1. Name and address of the Medical Board which granted the certificate .....
- 2. Date of certificate .....
- 3. Drug recommended .....
- 4. Quantity recommended per month .....
- 5. Personal identification marks of the permit holder as verified by the Medical Board

- (1) .....
- (2) .....
- (3) .....

This permit is granted under and subject to the provisions of "the Coorg Prohibition Act, as in force in Coorg District/the Hyderabad Intoxicating Drug Act, 1333F, as in force in Hyderabad Area/the Madras Prohibition Act as in force in Madras Area/the Mysore Prohibition Act, 1948, as in Mysore Area and Hyderabad Area", and Rules, Regulations and Orders made, thereunder to ..... of ..... (hereinafter referred to as "the permit holder") on payment of a fee of authorizing him to possess, transport and consume ganja-bhang subject to the following conditions, namely:

- 1. This permit shall remain in force from ..... to .....(both days inclusive).



2. The permit holder shall as soon as possible present this permit before the local Inspector or Sub-Inspector of Prohibition and Excise for his counter signature and in any case not later than one month of the receipt of this permit.

3. (1) The permit holder shall not purchase during any one month ganja/bhang exceeding ..... grams, provided that this quantity may be reduced during the currency of the permit according to the orders of the Excise Commissioner or the State Government.

(2) The permit holder shall not possess at any one time more than 24 g of ganja/bhang.

4. (1) The permit holder shall not obtain his supplies of ganja/bhang from any place except from a Treasury established under rule 9 of the Mysore Ganja and Bhang Rules, 1961.

(2) The permit holder shall get the details of the purchase entered on the reverse of the permit by the Officer-in-charge of the Treasury before he removes from the Treasury the ganja/bhang purchased by him.

(3) No ganja/bhang other than the ganja/bhang obtained under this permit shall be transported, possessed or consumed by the permit holder.

5. The ganja/bhang purchased under this permit shall be used only for the personal consumption of the permit holder.

6. The privileges of purchase, transport and possession of ganja/bhang granted under this permit shall extend only so far as they are incidental to its consumption in accordance with his permit.

7. The permit shall be non-transferable and may be suspended or cancelled in accordance with the provisions of the Act.

8. In case the permit is cancelled during its currency or is not renewed on its expiry, the whole of the unconsumed stock of ganja/bhang shall forthwith be surrendered to the Deputy Commissioner.

Granted this ..... day of ..... 19 .....

Signature or left hand thumb  
impression of the permit holder

Signature and designation of authority  
granting the permit

Countersigned

Inspector/Assistant Inspector of Excise.

Dated:

(Reverse of the Permit)

Details of purchase of ganja/bhang made by the permit holder.

From

To

Date	Total quantity of ganja/bhang permitted to be bought in the current month	Quantity of ganja/bhang purchased	Running total of quantity of ganja/bhang purchased since the 1st of the current month	Difference between the Quantity allowed in the current month and the running total(Col.4)	Signature of the Officer-in-charge of the Treasury and the name of the Treasury
1	2	3	4	5	6

FORM B-IV.

Permit for the possession of ganja/bhang to be used for administering it to the cattle or domestic animals on medical grounds

Permit No. ....

Permit is hereby granted under and subject to the provisions of "the Coorg Prohibition Act, as in force in Coorg District/the Hyderabad Intoxicating Drugs Act, 1333F, as in force in Hyderabad Area/the Madras Prohibition Act as in force in Madras Area/the Mysore Prohibition Act, 1948, as in Mysore Area and Hyderabad Area", and Rules, Regulations and Orders made, thereunder to Shri ..... of ..... (hereinafter referred to as "the permit holder") on payment of a fee of Rs. .... authorizing him to buy, transport, possess and use ganja/bhang for its administration of his cattle domestic animals specified in the schedule hereto annexed on medical grounds at his place, situated ..... in the Taluka of ..... in the District of ..... Mysore State, subject to the following conditions, namely:

1. This permit will remain in force from ..... to ..... (both days inclusive).
2. The privileges of purchase, transport and possession of ganja/bhang granted under this permit shall extend only so far as they are incidental to its use in accordance with the conditions of this permit.
3. The permit holder shall not possess ganja in excess of ..... grams/bhang in excess of ..... grams at any one time. He shall not keep ganja/bhang at any place other than the one specified above. The ganja/bhang shall be kept in a box securely locked, the key of which shall be kept in his custody.

4. The permit holder shall not during the currency of this permit purchase ganja exceeding ..... grams/bhang exceeding ..... grams, provided that this quantity may be reduced during the currency of the permit if the Deputy Commissioner or the authorized officer deems it necessary.

5. (1) The permit holder shall not obtain his supplies of ganja/bhang from any place except from a Treasury established under rule 9 of the Mysore Ganja and Bhang Rules, 1961:

Provided that the permit holder may, in any special case, be permitted to obtain ganja/bhang from any other place with the previous approval of the Excise Commissioner

(2) The permit holder shall get the details of the purchase entered on the reverse of the permit by the Officer-in-charge of the Treasury before he removes from the Treasury ganja/bhang purchased by him.

(3) No ganja/bhang other than the ganja/bhang obtained under this permit shall be transported, possessed or used by the permit holder.

6. The ganja/bhang purchased under this permit shall be used by the permit holder solely for administering it to his cattle/domestic animals in accordance with the recommendation of the Veterinary Surgeon or Assistant Veterinary Surgeon.

7. The permit holder shall immediately intimate to the Deputy Commissioner or the authorized officer, the reduction, if any, in the number of his cattle/domestic animals requiring administration of ganja/bhang and get the quota of ganja/bhang in his permit reduced accordingly.

8. The permit holder shall surrender the permit and the unused stock of ganja/bhang to the Officer-in-charge of the Treasury specified on the reverse of this permit in case the cattle/domestic animals requiring the administration of ganja/bhang no longer require it or cease to exist, as the case may be.

9. The permit will be non-transferable and may be suspended or cancelled in accordance with the provisions of the Act.

10. In case the permit is suspended, or cancelled during its currency or is not renewed on its expiry, the whole of the unused stock of ganja/bhang shall forthwith be surrendered to the Officer-in-charge of the Treasury specified on the reverse of this permit.

Granted this ..... day of ..... 19 .....

Seal of the authority  
granting the permit

Signature and designation of  
authority granting the permit

SCHEDULE

(Here specify cattle/domestic animals)

(Reverse of the permit in Form B-IV)

Details of purchase of ganja/bhang made by the permit holder from ..... to  
..... from the Treasury at .....

Date	Total quantity of ganja/bhang permitted to be bought during the period of the permit	Quantity of ganja/bhang purchased	Running total of quantity of ganja/bhang purchased since the grant of the permit	Difference between the quantity allowed during the period of the permit and the running total (Col. 4)	Signature of the Officer-in-charge of the Government Treasury
1	2	3	4	5	6
	ganja bhang	ganja bhang	ganja bhang	ganja bhang	

FORM A

(See rule 12(3))

Pass for the transport of ganja/bhang medicine(s) containing bhang

(Counterfoil)

(For office Use)

Serial No. ....

Date .....

Mr./Messrs\* authorized to transport from Mr./Messrs.\*\*\* undermentioned drugs:

is/are hereby to\*\* the

Exact description of the drug	Total quantity of the drug to be transported	Total quantity of bhang contained in the medicine containing bhang	Package	
			No.	Gross weight

This pass is granted under and subject to ..... Act and the rules made thereunder and subject to the following conditions.

- (1) The consignment shall not be broken in transit.
- (2) This pass shall remain in force up to and including 19

Signature and designation of the officer issuing the pass

\* Name of the person or firm authorized  
 \*\* Locality and district of destination of the consignment  
 \*\*\* Name and full address of the consignor  
 To be filled in when medicine containing bhang is to be transported

FORM A

(See rule 12(3))

Pass for the transport of ganja/bhang medicine(s) containing bhang

(Duplicate)

(To be forwarded to the Inspector or Assistant Inspector of Prohibition and Excise in charge of the place of transport)

Serial No. ....

Date .....

Mr./Messrs\* authorized to transport from Mr./Messrs.\*\*\* undermentioned drugs:

is/are hereby to\*\* the

Exact description of the drug	Total quantity of the drug to be transported	Total quantity of bhang contained in the medicine containing bhang	Package	
			No.	Gross weight

This pass is granted under and subject to ..... Act and the rules made thereunder and subject to the following conditions.

- (1) The consignment shall not be broken in transit.
- (2) This pass shall remain in force up to and including 19

Signature and designation of the officer issuing the pass

\* Name of the person or firm authorized  
 \*\* Locality and district of destination of the consignment  
 \*\*\* Name and full address of the consignor  
 To be filled in when medicine containing bhang is to be transported

FORM A

(See rule 12(3))

Pass for the transport of ganja/bhang/Medicine(s) containing bhang

(Triplicate)

(To be forwarded to the Inspector/Sub-Inspector of Prohibition and Excise at place of destination)

Serial No. .... Dated .....

Mr./Messrs\* is/are hereby authorized to transport from Mr./Messrs\*\*\* the undermentioned drugs: to\*\*

Exact description of the drug	Total quantity of the drug to be transported	Total quantity of bhang contained in the medicine containing bhang	Package	
			No.	Gross Weight

This pass is granted under and subject to ..... Act and the rules made thereunder and subject to the following conditions.

- (1) The consignment shall not be broken in transit.
- (2) This pass shall remain in force up to ..... and including 19

Signature and designation of the officer issuing the pass

\* Name of the person or firm authorized  
 \*\* Locality and district of destination of the consignment  
 \*\*\* Name and full address of the consignor  
 To be filled in when medicine containing bhang is to be transported

FORM A

(See rule 12(3))

Pass for the transport of ganja/bhang/medicine(s) containing bhang

(Quadruplicate)

(To be handed over to the applicant to accompany the consignment)

Serial No. .... Dated .....

Mr./Messrs\* is/are hereby authorized to transport from Mr./Messrs\*\*\* the undermentioned drugs: to\*\*

Exact description of the drug	Total quantity of the drug to be transported	Total quantity of bhang contained in the medicine containing bhang	Package	
			No.	Gross Weight

This pass is granted under and subject to ..... Act and the rules made thereunder and subject to the following conditions.

- (1) The consignment shall not be broken in transit.
- (2) This pass shall remain in force up to ..... and including 19

Signature and designation of the officer issuing the pass

\* Name of the person or firm authorized  
 \*\* Locality and district of destination of the consignment  
 \*\*\* Name and full address of the consignor  
 To be filled in when medicine containing bhang is to be transported

FORM B

(See rule 11 B(2))

Pass for import of medicine(s) containing bhang  
(Counterfoil)  
(For office use)

Serial No..... Dated .....

Mr./Messrs\*.....is/are  
hereby authorised to import the undermentioned medicine(s)  
containing bhang from Mr./Messrs.\*\*

Exact description of the medicine	Total quantity of the medicine to be imported	Total quantity of bhang contained in the medicine to be imported	Package	
			No.	Gross Weight

This pass is granted, under and subject to.....  
Act and the rules made thereunder and subject to the  
following conditions.

1. The consignment shall not be broken in transit.
2. This pass shall remain in force up to.....  
and including.....19 .

Signature and designation of the  
officer issuing the pass

\* Name and full address of the importer  
\*\* Name and full address of the exporter

FORM B

(See rule 11 B(2))

Pass for import of medicine(s) containing bhang  
(Duplicate)

(To be forwarded to the Inspector or Assistant Inspector of  
Prohibition and Excise in charge of the place of import)

Serial No..... Dated.....

Mr./Messrs.\*.....is/are  
hereby authorised to import the undermentioned medicine(s)  
containing bhang from Mr./Messrs.\*\*

Exact description of the medicine	Total quantity of the medicine to be imported	Total quantity of bhang contained in the medicine to be imported	Package	
			No.	Gross Weight

This pass is granted, under and subject to.....  
Act and the rules made thereunder and subject to the  
following conditions.

1. The consignment shall not be broken in transit.
2. This pass shall remain in force up to.....  
and including.....19 .

Signature and designation of the  
officer issuing the pass

\* Name and full address of the importer  
\*\* Name and full address of the exporter

FORM B

(See rule 11 B(2))

Pass for import of medicine(s) containing bhang  
(Triplicate)

(To be forwarded to the Excise Authority at the place  
of export)

Serial No..... Date.....19 .

Mr./Messrs\*.....is/are  
hereby authorized to import the undermentioned medicines  
containing bhang from Mr./Messrs.\*\*

Exact description of the medicine	Total quantity of the medicine to be imported	Total quantity of bhang contained in the medicine to be imported	Package	
			No.	Gross Weight

This pass is granted under and subject to the.....  
Act and the rules made thereunder and subject to the  
following conditions.

1. The consignment shall not be broken in transit.
2. This pass shall remain in force up to.....  
and including.....19 ..

Signature and designation of the  
officer issuing the pass

\* Name and full address of the importer  
\*\* Name and full address of the exporter

FORM B

(See rule 11 B(2))

Pass for import of medicine(s) containing bhang  
(Quadruplicate)

(To be handed over to the applicant to accompany the  
consignment)

Serial No..... Date.....19 .

Mr./Messrs\*.....is/are  
hereby authorized to import the undermentioned medicine(s)  
containing bhang from Mr./Messrs\*\*

Exact description of the medicine	Total quantity of the medicine to be imported	Total quantity of bhang contained in the medicine to be imported	Package	
			No.	Gross Weight

This pass is granted under and subject to the.....  
Act and the rules made thereunder and subject to the  
following conditions.

1. The consignment shall not be broken in transit.
2. This pass shall remain in force up to.....  
and including.....19 .

Signature and designation of the  
officer issuing the pass

\* Name and full address of the importer.  
\*\* Name and full address of the exporter



FORM C  
(See rule 11 C(2))

Pass for export of medicine(s) containing bhang  
(Counterfoil)  
(For office use)

Serial No. \_\_\_\_\_ Date \_\_\_\_\_ 19 .  
Mr./Messrs\* \_\_\_\_\_ is/are  
hereby authorized to export the undermentioned  
medicine(s) containing bhang to Mr./Messrs\*\*

Exact description of the medicine to be exported	Total quantity of the medicine to be exported	Total quantity of bhang contained in the medicine to be exported	Package	
			No.	Gross Weight

This pass is granted under and subject to Act and the rules made thereunder and subject to the following conditions.

1. The consignment shall not be broken in transit.
2. This pass shall remain in force up to and including \_\_\_\_\_ 19 .

Signature and designation of the officer issuing the pass

\* Name and full address of the exporter  
\*\* Name and full address of the importer

FORM C  
(See rule 11 C(2))

Pass for export of medicine(s) containing bhang  
(Duplicate)

(To be forwarded to the Inspector or Assistant Inspector of Prohibition and Excise of the place of export)

Serial No. \_\_\_\_\_ date \_\_\_\_\_ 19 .  
Mr./Messrs\* \_\_\_\_\_ is/are  
hereby authorized to export the undermentioned medicine(s)  
containing bhang to Mr./Messrs\*\*

Exact description of the medicine to be exported	Total quantity of the medicine to be exported	Total quantity of bhang contained in the medicine to be exported	Package	
			No.	Gross Weight

This pass is granted under and subject to Act and the rules made thereunder and subject to the following conditions.

1. The consignment shall not be broken in transit.
2. This pass shall remain in force up to and including \_\_\_\_\_ 19 .

Signature and designation of the officer issuing the pass

\* Name and full address of the exporter  
\*\* Name and full address of the importer

FORM C

(See Rule 11 C(2))

(Triplicate)

(To be forwarded to the Excise Authority at the place of import)

Serial No. \_\_\_\_\_ Dated \_\_\_\_\_ 19 .

Mr./Messrs\* \_\_\_\_\_ is/are  
hereby authorized to export the undermentioned medicine(s) containing bhang to Mr./Messrs\*\*

Exact description of the medicine	Total quantity of the medicine to be exported	Total quantity of bhang contained in the medicine to be exported	Package	
			No.	Gross Weight

This pass is granted under and subject to Act and the rules made thereunder and subject to the following conditions:

1. The consignment shall not be broken in transit.
2. This pass shall remain in force up to and including \_\_\_\_\_ 19 .

Signature and designation of the officer issuing the pass

- \* Name and full address of the exporter  
\*\* Name and full address of the importer

FORM C

(See Rule 11 C(2))

(Quadruplicate)

(To be handed over to the applicant to accompany the consignment)

Serial No. \_\_\_\_\_ Dated \_\_\_\_\_ 19 .

Mr./Messrs\* \_\_\_\_\_ is/are  
hereby authorized to export the undermentioned medicine(s) containing bhang to Mr./Messrs\*\*

Exact description of the medicine	Total quantity of the medicine to be exported	Total quantity of bhang contained in the medicine to be exported	Package	
			No.	Gross Weight

This pass is granted under and subject to Act and the rules made thereunder and subject to the following conditions:

1. The consignment shall not be broken in transit.
2. This pass shall remain in force up to and including \_\_\_\_\_ 19 .

Signature and designation of the officer issuing the pass

- \* Name and full address of the exporter  
\*\* Name and full address of the importer

FORM D

(See rule 19 (ii))

Form of authority

I hereby appoint .....  
to buy, possess and transport ganja/bhang on my behalf on my permit No. ....

Identification marks of the agent

Signature or thumb impression of the agent

Signature or thumb impression of the person  
giving the authority

Signature or thumb impression of the agent taken  
in the presence of the Deputy Commissioner or  
the officer authorized to grant the permit

APPROVED

Signature of the Deputy Commissioner or the  
officer authorized to grant the permit

Place:

Dated:

E/NL.1962/68

RAJASTHAN OPIUM (LANCED POPPY HEADS) RULES, 1960

Excise and taxation department

Notification No. F.1(110)E. & T./60

Jaipur, 26 December 1960

In exercise of the powers conferred by section 5 of the Opium Act, 1878 (Central Act I of 1878), and by section 143 read with section 49 of the Bombay Prohibition Act, 1949 (Bombay Act 25 of 1949)6/, as applicable to the Abu area, the State government hereby makes the following rules for possession, transport import, export sale of and levy of duty on lanced poppy-heads and orders with reference to the proviso to section 143 of the Bombay Prohibition Act, 1949, that previous publication of these rules is dispensed with as the State government considers that these rules should be brought into force at once, namely:

RULES

1. Short title and commencement.

- (a) These rules may be called the Rajasthan Opium (Lanced Poppy Heads) Rules, 1960.
- (b) They shall extend to the whole of the State of Rajasthan.
- (c) They shall come into force at once.

2. Definitions. In these rules, unless the context otherwise required:-

- (a) "Assistant Commissioner", "Deputy Commissioner", "Commissioner" and "Inspector" mean respectively the officers of these designations of the Excise and Taxation Department of the State;
- (b) "Cultivator" means a cultivator of poppy licensed under the Opium Act, 1857;
- (c) "Form" means a form appended to these rules;
- (d) "Lanced poppy heads" means the capsules of the poppy plant, whether in their original form, cut, crushed or powdered, from which the juice has been extracted;
- (e) "Licensee" means and includes a person holding a licence under rule 9 or rule 10;
- (f) "Licensed vendor" means a person holding a licence under rule 10.

3. Possession. No person, except a licensee in accordance with the terms of his licence, shall, at any one time, keep in his possession any lanced poppy heads in respect of which any duty payable under these rules has not been paid and which exceed two kilograms:

Provided that a cultivator may, subject to rule 4, during the period from 1 April to 31 July keep such lanced poppy heads as are directly relatable to the crop produced by him, in any quantity, and any lanced poppy heads remaining with him thereafter shall either be sold after obtaining a licence under rule 10 or be disposed of by burning or mixing with manure.

4. Declaration by a cultivator. Every cultivator shall, in each year, submit, by 1 April, to the Inspector a true declaration in Form P.H.1 in respect of the land on which he cultivated the poppy and of the stocks of lanced poppy heads directly relatable to the crop produced by him and shall also declare every building or place used or to be used by him for storing the same.

5. Transport.

(1) No person shall carry or move, or cause to be carried, or moved within the State any lanced poppy heads exceeding two kilograms, except-

(a) from the place of storage of a cultivator to a licensed bonded warehouse or from such warehouse to another such warehouse, under cover of a transport certificate in Form P.H.2 issued by the Assistant Commissioner of the area to which the lanced poppy heads are to be carried or moved, or

(b) from the place of storage of a cultivator or of the licensed bonded warehouse to the premises of a licensed vendor, under a permit in Form P.H.3 issued by the Assistant Commissioner of the area in which the premises of the licensed vendors are situated.

(2) Nothing in sub-rule (1) shall apply to the cultivator transporting lanced poppy heads from the place of cultivation to the place of storage during the period from 1 April to 31 July each year.

(3) No permit under clause (b) of sub-rule (1) shall be issued without prepayment of duty specified under rule 14.

6. Import. No person shall, at any one time, import lanced poppy heads exceeding one kilogram in quantity;

Provided that a licensee of a bonded warehouse may, subject to the conditions of his licence, import lanced poppy heads for the storage of the same in the said bonded warehouse under cover of a certificate in Form P.H.2 issued by the Assistant Commissioner of the District where the said warehouse is situated.

7. Export. No person shall export lanced poppy heads exceeding one kilogram in quantity:

Provided that a cultivator or a licensee of a bonded warehouse may export lanced poppy heads under cover of an export certificate in Form P.H.2 issued by the Assistant Commissioner of the exporting district on the basis of a valid import permit issued by the competent authority of the district of import specifying the quantity to be imported. Such export certificate shall accompany the consignment, the bulk of which shall not be broken during transit.

8. Sale.

(1) No person shall sell lanced poppy heads except under a licence granted under rule 10 and in accordance with the provisions of these rules and the conditions of the licence granted to him:

Provided that:

- (i) a cultivator may, during the period from 1 April to 31 July, sell lanced poppy heads, directly relatable to the crop produced by him, to a person having a licensed bonded warehouse and holding a certificate under clause (a) or sub-rule (1) of rule 5 or to a licensed vendor holding a permit under clause (b) of sub-rule (1) of rule 5, or
- (ii) a person having a licensed bonded warehouse may sell lanced poppy heads to a licensed vendor under a permit in Form P.H.3 issued by the Assistant Commissioner in whose jurisdiction the premises of the licensed vendor are situated, or
- (iii) a person having a licensed bonded warehouse may sell lanced poppy heads to another person having such bonded warehouse and holding a certificate under clause (a) of sub-rule (1) of rule 5.

2. No person shall sell a decoction of lanced poppy heads or its admixture with any other substance.

9. Bonded warehouse.

(1) The Assistant Commissioner may, subject to any general or special order of the Commissioner, approve and license any private bonded warehouse for the storage of lanced poppy heads on which no duty under rule 14 has been paid and may require a licensee to furnish a bond with such surety or sufficient security, in such amount and on such conditions as may be approved, binding the licensee to pay the duty due on the goods deposited therein and for the due observance of the terms, conditions and requirements of the rules or any order made thereunder in respect thereof. The Assistant Commissioner may revoke his approval of a warehouse and upon such revocation all goods warehoused therein shall be removed as the Assistant Commissioner directs.

Provided that in the event of death or insolvency or insufficiency of the surety or where the amount of the bond is inadequate, the Assistant Commissioner may in his discretion demand a fresh bond and may also demand additional security.

(2) Licence for maintaining a private bonded warehouse for storage of lanced poppy heads shall be granted in Form P.H.4 by the Assistant Commissioner on payment of a fee of Rs 25 per annum or part thereof and may be renewed for a period of one year. Such licence shall be issued only to a licensed vendor.

(3) Every licensee of a private bonded warehouse shall maintain a warehouse register in Form P.H.5 in which he shall on the same day on which any operation takes place enter full details of all goods received or issued and the balance at the close of each day showing the details of the permit under which movement was allowed.

10. Licence of sale.

(1) Licenses for the sale of lanced poppy heads required by rule 8 shall be of two classes:

- (a) licence in Form P.H.6 for the wholesale vend of lanced poppy heads, and
- (b) licence in Form P.H.7 for the retail vend of lanced poppy heads.

2. Number of licences for the sale of lanced poppy heads by wholesale or retail shall be fixed from time to time for each area by the Commissioner and shall be disposed of by auction by the Assistant Commissioner in so far as may be in accordance with the procedure prescribed for the auction of country liquor licenses in chapter VII of the Rajasthan Excise Rules, 1956, except that final approval of the Commissioner shall not be necessary for acceptance of the highest bid.

11. Limitation of licence.

(1) Every licence granted or renewed under these rules shall be for a period not exceeding one year but in no case shall such period extend beyond 31 March next following the date of commencement of the licence.

(2) Every licence shall be deemed to have been granted to or renewed personally in respect of the licensee and no licence shall be sold or transferred without obtaining previous permission in writing from the licensing authority.

12. Revocation of licence.

(1) Any licence granted under these rules may be revoked by the licensing authority if the holder, or any person in his employ, is found to have committed a breach of the conditions thereof, or of any of the provisions of the Act or these rules:

Provided that such revocation shall not be made until the holder of the licence has been given a reasonable opportunity of showing cause against the action proposed to be taken.

(2) Every such order shall be in writing and shall specify the reasons for the revocation and shall be communicated to the licensee

(3) Where a licence is revoked under this rule the holder of the licence shall not be entitled to claim any compensation or refund of the licence fee for such cancellation but his licence may again be auctioned at his risk.

13. Surrender of licence. A licensed vendor may surrender his licence at any time during the currency of the licence, after giving one month's notice in writing to the Assistant Commissioner of his intention to surrender the same and on payment of the fee payable for the licence for the whole period for which it would have been current but for such surrender:

Provided that if the Assistant Commissioner is satisfied that there is sufficient reason for surrendering such a licence, he may remit the sum so payable or any portion thereof. Explanation: The words "licensed vendor" as used in this rule include a person whose bid for a licence has been accepted although he may not actually have received the licence.

14. Duty.

(1) No person shall possess, export, import or sell lanced poppy heads otherwise than in accordance with these rules and unless a duty at the rate of 50 NP per kilogram has been paid in respect thereof in the manner hereinafter laid down:

Provided that the State government may, by a notification in the Official Gazette, reduce or enhance such duty with effect from such date as specified in the notification.

(2) No duty under sub-rule (1) shall be levied on -

(i) export of any lanced poppy heads on which a duty on import is leviable in the State to which they are being carried;

(ii)\* possession by a cultivator during the period from 1 April to 31 July, of such lanced poppy heads as are directly relatable to the crop produced by him, or upon

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\* Omitted, vide Government of Rajasthan Notification No. F.1(110)E&T/60-I, dated 20 January 1961.

sale thereof by him during the said period to a licensed vendor under the cover of a transport certificate in Form P.H.2 or a permit in Form P.H.3 issued by the Assistant Commissioner of the area in which the premises of the licensed vendor are situated;

- (iii) export, import, transport or sale to a licensed vendor, under the cover of a transport certificate in Form P.H.2 or a permit in Form P.H.3 issued by the Assistant Commissioner of the area in which the premises of the licensed vendor are situated; or
- (iv) possession by a licensed vendor holding a licence under rule 9. .

15. Exemption from duty. The State government may by notification in the Official Gazette exempt, subject to such condition as may be specified in the notification, any lanced poppy heads from the whole or any part of the duty leviable thereon, if in the opinion of the State government it is necessary to grant such exemption in the public interest.

16. Refund of duty. No duty which has been paid under rule 14 and of which repayment wholly or in part is claimed in consequence of the same having been paid through inadvertance, error or misconstruction shall be refunded unless a written claim is lodged with the Assistant Commissioner within six months from the date of such payment.

17. Remission of duty. Any lanced poppy heads which have deteriorated in quality and are unsaleable may, if the cultivator or the person having a licensed bonded warehouse so desires, be destroyed in the presence of the inspector with the permission of the Assistant Commissioner subject to the approval of the Deputy Commissioner and necessary entries shall be made in the relevant register. Duty on the lanced poppy heads so destroyed shall not be levied.

18. Alteration of duty. The rate of duty applicable to the lanced poppy heads cleared on payment of duty shall be the rate in force on the date on which duty is paid or, if the goods are cleared from a licensed bonded warehouse, on the date of the actual removal thereof from such bonded premises.

19. Recovery of duty short-levied. When duty has been short-levied through inadvertance, error, collusion or misconstruction or through mis-statement or when any such duty, after having been levied, has been, owing to such case, erroneously refunded, the person chargeable with the duty so short-levied or to whom such refund has been erroneously made shall pay the deficiency or repay the amount paid to him in excess as the case may be, on written demand made by the Assistant Commissioner concerned with payment of this sum at such time and place as may be specified by him.

20. Time and manner of payment of duty. Duty at the prescribed rate shall be deposited in the Treasury by the licensed vendor before obtaining a permit from the Assistant Commissioner for taking delivery for a purpose other than for carrying to a bonded warehouse.

21. Weighing.

(1) Weighing of lanced poppy heads for the purpose of levy of duty shall be made in presence of the Inspector concerned and entry to this effect shall be made in the relevant register.

(2) The Assistant Commissioner or any other officer superior to him may order reweighing of the stock of lanced poppy heads for the purpose of checking if there are reasons to believe that the weighing before the Inspector was deficient or incorrect. The weight thus ascertained on reweighing if found more than the original weight shall be deemed to be the weight chargeable with duty.

22. Appeal.

(1) An appeal from the order of the Assistant Commissioner shall lie to the Deputy Commissioner and from an order of the Deputy Commissioner passed otherwise than on appeal, to the Commissioner.

(2) An appeal under these rules shall be preferred within 60 days from the date of the order appealed against in the form of a memorandum setting forth concisely the grounds of objection to such order and shall be accompanied by a fee of Rs 5. The appellate authority after giving an opportunity to the parties to be heard and after such further enquiry, if any, as it may deem necessary may confirm or set aside such orders and shall make an order accordingly.

23. Declaration for the year 1960-61.

Every licensed vendor or cultivator shall within fifteen days of the coming into force of these rules submit a true declaration in Form P.H.8 to the Inspector in respect of the stocks of lanced poppy heads in his possession on the day of the coming into force of these rules and shall also declare every building used by him for storing the same. He shall, if he is a licensed vendor, pay the duty thereon imposed under rule 14 within ten days of making such declaration, or shall execute a bond with or without surety on the same day when he made the declaration for payment thereof within one month. In case he is a cultivator, he shall dispose of them within one month of the declaration in accordance with the rules or destroy them in the presence of the Inspector concerned.

24. Repeal.

The Rajasthan Opium (Lanced Poppy Heads) Rules, 1958,<sup>15/</sup> are hereby repealed, except as respects things done or omitted to be done before such repeal, and every licence granted under the said rules shall be deemed to have been granted in accordance with the provisions of these rules.

FORM P.H.1

(vide rule 4)

Declaration by a cultivator  
(Delete the letters and words not applicable)

I/We ..... (name with parentage) .....  
residing at village ..... Tehsil ..... District .....  
hereby declare particulars, in the schedule below, of the land on which I/We cultivated  
the poppy during the year ..... and the total quantity of lanced poppy heads of the produce  
thereof.

2. I/We agree to abide by the provisions of the Rajasthan Opium (Lanced Poppy Heads) Rules, 1960, and orders issued thereunder.

3. I/We declare that to the best of my/our knowledge and belief the information furnished herein is true and complete.

Place .....

Date .....

Signature(s) or thumb impression(s) of the  
cultivator(s)



SCHEDULE

1. Village.
2. Tehsil.
3. District.
4. Survey No.
5. Area.
6. Description of land specifying boundaries or survey or field number .....
7. Total produce of lanced poppy heads .....
8. Details of the building or place used or to be used for storage  
Total quantity of lanced poppy heads .....

FORM P.H.2

(Vide rules 5, 6 and 7)

Certificate for transport, import or export of lanced poppy heads  
(Delete the letters and words not applicable)

1. Name and address of the persons supplying the lanced poppy heads:
  - (a) cultivator.
  - (b) bonded warehouse licence.
2. (a) Form No. and date of the declaration by the cultivator.  
  
(b) Licence No. and date of the bonded warehouse.
3. Number and description of packages.
4. Name and address of the person receiving the lanced poppy heads.
5. Licence No. and date of the bonded warehouse where the lanced poppy heads are to be consigned.
6. Manner of transport.
7. Route.
8. In the case of export, No. and date of import permit and whether duty paid or under bond.

9. Validity up to ..... day of .....

Place .....

Date .....

Signature of the Assistant Commissioner

Seal of the Assistant Commissioner

Note: (1) To be issued in triplicate, original to be retained in the office of issue, duplicate to be given to the consignor and triplicate to the consignee.

(2) In case of export without payment of duty an endorsement by the officer of the importing State shall be obtained that the consignment agrees in all respects with the description noted above. This copy shall be produced at the office of issue within a period of one month for entry in the relevant register, failing which duty may be recovered.

FORM P.H.3

(Vide rules 5 and 8)

Permit for duty-paid lanced poppy heads  
(Delete the letters and words not applicable)

1. Name and address of the person supplying the lanced poppy heads:
  - (a) Cultivator.
  - (b) Bonded warehouse licence.
2. (a) Form No. and date of the declaration by the cultivator.
  - (b) Licence No. and date of the bonded warehouse.
3. Number and description of packages.
4. Name and address of the licensed vendor receiving the lanced poppy heads.
5. No. and date of licence held by the vendor referred to under item No. 4.
6. Amount of duty.
7. No. and date of treasury receipt and name of the treasury where duty deposited.
8. Manner of transport.
9. Route.
10. Validity up to ..... day of .....  
Place .....

Date .....

Signature of the Assistant Commissioner

Seal of the Assistant Commissioner

Note: To be issued in triplicate, original to be retained in the office of issue, duplicate to be given to the consignor and triplicate to the consignee.

FORM P.H.4

(Vide rule 9)

Licence for establishment of a private bonded warehouse  
(Delete the letters and words not applicable)

1. The undermentioned premises belonging to Shri/Sarvshri..... of ..... are hereby licenced, subject to the provisions of the Rajasthan Opium (Lanced Poppy Heads) Rules, 1960, and any orders issued thereunder, as a private bonded warehouse for the storage of lanced poppy heads on which duty has not been paid.

Situation and description of the premises .....

2. The licence is granted to Shri/Sarvshri ..... (name with parentage) who is/are holding a licence No. .... date ..... for wholesale of lanced poppy heads at the premises .....

3. This licence will remain in force until 31 March 19 .. unless revoked before that date.

4. The licensee shall maintain proper and true daily accounts of purchase and sale regularly and produce his licence, sale accounts and stocks of lanced poppy heads for inspection immediately on demand by any officer of the Excise and Taxation Department not below the rank of Inspector.

5. On breach of the condition of this licence or provision of the Opium Act, 1878, or the Bombay Prohibition Act, 1949, and rules made thereunder or of any order or instructions issued from time to time, the licence shall be liable to be revoked in addition to other punishment which may be inflicted under the provisions of the said Act:

Provided that upon application made in this behalf, the Assistant Commissioner is satisfied that the breach is of minor nature, he may condone such breach upon payment of Rs. 25 by the licensee.

Place .....

Date .....

Signature of the Assistant Commissioner

FORM P.H.5

(Vide rule 9)

Warehouse Register

1. Situation of warehouse.
2. Name of licensee.
3. No. and date of licence.
4. No. and description of packages with number and date of the certificate.
5. Gross weight.
6. Net weight.
7. Room or place in warehouse in which deposited.
8. No. of packages delivered.
9. Net weight delivered.
10. Name and address and licence No. of person to whom delivered.
11. Amount of duty.
12. No. and date of permit.
13. Balance in stock in warehouse.
  1. No. of packages.
  2. Net weight.
14. Remarks.

FORM P.H.6

(Vide rule 10)

Licence for the wholesale vend of lanced poppy heads  
(Delete the letters and words not applicable)

Licence No. ....

District .....

Division .....

Locality of the shop .....

Licence for wholesale vend of lanced poppy heads is hereby granted to Shri .....  
..... Son of ..... in the town .....  
during the year ending 31 March ... subject to the following conditions and to the provisions  
of the Opium Act, 1878, and the Bombay Prohibition Act, 1949, and the Rajasthan Opium (Lanced  
Poppy Heads) Rules, 1960.

1. This licence is granted for a licence fee of Rs. .... (in words) .....  
 ..... The licensee shall deposit this amount in six equal instalments to be  
 paid as per conditions of auction notice.

He has deposited Rs ..... (in words) .....  
 being the last two instalments at the fall of the hammer as advance deposit before issue  
 of this licence.

2. The licensee shall maintain a private bonded warehouse and shall obtain a licence  
 for the same.

3. The licensee shall make sales only to a licensee of lanced poppy heads and not to  
 any other person.

4. The licensee shall produce for inspection his licence, accounts and total stock  
 of lanced poppy heads on demand by the officers of the Excise and Taxation Department not  
 below the rank of Inspector and allow such officer to enter the licensed premises at any  
 hour of the day or night for the purpose of inspection and afford all reasonable facilities  
 to him for this purpose.

5. The licensee shall keep in ink a true daily account in the following form showing  
 the receipt and sale of poppy heads each day and the balance and stock:

Date	Quantity of lanced poppy heads in stock from the day preceding	Quantity received & whence received	Place from where received	Whether under bond or duty paid. If duty paid amount of duty and Trea- sury receipt No. & date	No. and date of certificate and the authority with its place
1.	2.	3.	4.	5.	6.
Total quantity in stock	Quantity sold	To whom sold with full particulars	No. and date of permit under cover of which it is sold	Closing balance	Remarks
7.	8.	9.	10.	11.	12.

6. On breach of any of the above conditions, or any of the provisions of the Opium Act,  
 1878, or the Bombay Prohibition Act, 1949, or the Rajasthan Opium (Lanced Poppy Heads)  
 Rules, 1960, or of any orders or instructions issued from time to time, this licence shall  
 be liable to be revoked by the Assistant Commissioner in addition to any other punishment  
 which may be afflicted under the provisions of the said Act.

Provided that upon application made in this behalf, the Assistant Commissioner is  
 satisfied that the breach is of minor nature, he may condone such breach upon payment by  
 the licensee of a sum of money not exceeding rupees two hundred.

Place .....

Date .....

Signature of the Assistant Commissioner

FORM P.H.7

(Vide Rule 10)

Licence for the retail vend of lanced poppy heads  
(Delete the letters and words not applicable)

Licence No. ....

District .....

Division .....

Locality of the shop .....

Licence for the retail vend of poppy heads is hereby granted to Shri .....  
..... Son of ..... resident of .....  
on the premises ..... in the town .....  
during the year ending 31 March 19 ... subject to the following conditions and to the  
provisions of the Opium Act, 1878, and the Bombay Prohibition Act, 1949, and the Rajasthan  
Opium (Lanced Poppy Heads) Rules, 1960.

1. This licence is granted for a licence fee of Rs. .... (in words) .....  
..... The licensee shall deposit this amount in six equal  
instalments at the fall of the hammer as advance deposit before issue of this licence.

2. The licensee shall not have in his possession at any one time more than 200 Kg of  
lanced poppy heads.

3. The licensee shall sell no lanced poppy heads but such as he may obtain legally  
from the wholesale licensee, or cultivator on prepayment of duty thereon and shall not  
receive or have in his possession any stock obtained otherwise. All stocks so obtained  
shall be transported to his shop under cover of a permit in form ..... signed by  
the Assistant Commissioner within the time allowed.

4. Sales shall only be made at the shop named above and not in a quantity exceeding 2 Kg  
to an individual at any one time in a day.

5. Sales shall not be made between the hours of sun set and sun rise.

6. The licensee shall keep in ink a true daily account in the following form showing  
the receipt and sale of poppy heads each day and the balance in stock. He shall also show  
the name, father's name and residence of each purchaser of 1 Kg of lanced poppy heads and  
upwards; the entry is to be made immediately after each transaction:

Date	Quantity of lanced poppy heads in stock from the day preceding	Quantity received and whence received	Amount of duty paid thereon	Treasury receipt No. and day and name of treasury
1.	2.	3.	4.	5.

No. and date of permit	Total quantity in stock	Quantity sold this day	Name, father's name, residence of each purchaser	Closing Balance
6.	7.	8.	9.	10.

7. The shop shall not be located in the same building in which a shop licensed to sell lanced poppy heads by wholesale or bonded warehouse is located.

8. The licensee shall not allow any person to conduct sales in his licensed premises unless the name of such person has been previously submitted to the Assistant Commissioner for approval and endorsed by him on the licence.

9. The licensee shall produce for inspection his licence, accounts and total stock of lanced poppy heads on demand by the officers of the Excise and Taxation Department not below the rank of Inspector and allow such officer to enter the licensed premises at any hour of the day or night for the purpose of inspection and afford all reasonable facilities to him for this purpose.

10. At the termination of this licence, in case he has not been granted the licence for the ensuing year, the licensee shall sell the balance stock of lanced poppy heads to any other licensee after obtaining necessary sanction from the Assistant Commissioner. If he is unable to dispose of his stock within a period of one month it will be liable to be confiscated, for which he will not be entitled to claim any compensation.

11. On breach of any of the above conditions, or any of the provisions of the Opium Act, 1878, or the Bombay Prohibition Act, 1949, or the Rajasthan Opium (Lanced Poppy Heads) Rules, 1960, or of any orders or instructions issued from time to time, this licence shall be liable to be revoked by the Assistant Commissioner in addition to any other punishment which may be afflicted under the provisions of the Act.

Provided that upon application made in this behalf, the Assistant Commissioner is satisfied that the breach is of minor nature, he may condone such breach upon payment by the licensee of a sum of money not exceeding rupees hundred.

Place .....

Date .....

Signature of the Assistant Commissioner

FORM P.H.8.

(Vide rule 23)

Declaration by a vender/cultivator  
(Delete the letters and words not applicable)

I/We .....  
(Name with parentage)

am/are (holding a licence for the retail/wholesale vend of poppy heads/cultivators over the area ..... ) during the year 1960-61 at .....Tehsil .....  
(village and location)

District .....

2. I/We declare the particulars in the schedule below of the total stocks of lanced poppy heads in my/our possession on .....

3. I/We agree to abide by the provisions of the Rajasthan Opium (Lanced Poppy Heads) Rules, 1960, and orders issued thereunder.

4. I/We declare that to the best of my/our knowledge and belief the information furnished herein is true and complete.

Place .....

Date .....

Signature of the licensee

SCHEDULE

1. Exact location of the licensed premises.
2. Village or town.
3. Tehsil.
4. District.
5. Number and description of packages.
6. Net weight of lanced poppy heads.

By Order of the Governor,  
RAM SINGH  
SECRETARY TO THE GOVERNMENT.

E/NL.1962/69

Government Gazette of Uttar Pradesh  
Allahabad, Saturday, 1 July 1961

UTTAR PRADESH POPPY HEAD RULES, 1961

Notification No. 3712-E/XIII-275(4)-59

22 June 1961

In exercise of the powers conferred by section 5 of the Opium Act, 1878 (Act No. I of 1878), and in partial modification of notification No. 339(52)(V)-E/XIII-414-46, dated March 10, 1946, the Governor of Uttar Pradesh is pleased to withdraw the exemption on possession, transport, import, export and sale without restrictions on Papaveri capsules (only dried



poppy heads) and to make the following rules relating to the possession, transport, importation, exportation and sale of the capsules of poppy (*Papaver somniferum L*) (poppy heads), and to further direct that they shall come into force with effect from the date of publication of this notification in the Gazette.

1. Short title and extent. (i) These rules may be called the Uttar Pradesh Poppy Head Rules, 1961 ;

(ii) They extend to the whole of Uttar Pradesh.

2. Definitions. In these rules, unless there is anything repugnant in the subject or context:

(i) "Collector" means the Chief Officer-in-charge of the Revenue Administration of a district and includes Deputy Commissioner where the Collector is so designated ;

(ii) "District Excise Officer" means an assistant collector subordinate to a collector and placed by him in executive charge of the Excise Administration of the whole or a part of the district ;

(iii) "Dried poppy heads" means the capsules of the poppy (*Papaver somniferum L*) from which the juice has been extracted, whether in their original form or cut, crushed or powdered, but does not include poppy seeds separated from such poppy heads ;

(iv) "Excise Commissioner" means the officer appointed by the State government under section 10(2)(a) of the U.P. Excise Act, 1910 (U.P. Act No. IV of 1910) ;

(v) "Poppy heads" means the capsules of the poppy (*Papaver somniferum L*), whether in their original form or cut, crushed or powdered, and whether or not the juice has been extracted therefrom but does not include poppy seeds if separated from the poppy heads ;

(vi) "Retail sale" means the sale at any transaction of poppy heads in any quantity not exceeding the quantity which has been prescribed as the limit of private possession in rule 3 ;

(vii) "Seer" means a weight of  $\frac{80 \text{ tolas}}{(0.9331 \text{ kilograms})}$  ;

(viii) "State Government" means the Government of Uttar Pradesh ;

(ix) "Tola" means weight of  $\frac{180 \text{ grains troves}}{(11.644 \text{ grams})}$  ;

(x) "Unlanced poppy heads" means the capsules of the poppy from which the juice has not been extracted, whether in their original form or cut, crushed or powdered, but does not include poppy seeds if separated from such poppy heads ;

(xi) "Wholesale" means the sale at any transaction of poppy heads in any quantity exceeding the quantity prescribed as the limit of private possession in rule 3.

3. Possession by a private individual. A private individual may possess without a licence :

(a) dried poppy heads to the extent of half a seer, provided that the same have been purchased from a licensed dealer; and

(b) unlanced poppy heads to the extent of ten tolas, provided that the same have been purchased from a licensed dealer.

4. Possession by wholesale licensed dealer. A person licensed in Form P.H.-1 to sell poppy heads, dried or unlanced, in wholesale quantities may, subject to the conditions of the licence, possess any quantity of such poppy heads legally obtained by him.

5. Possession by retail licensed dealer. A person licensed in Form P.H.-2 to sell poppy heads, dried or unlanced, in retail quantities may, subject to the conditions of the licence, possess any quantity of such poppy heads legally obtained by him.

6. Possession by licensed cultivator. Subject to the conditions of the licence issued under section 8 of the Opium Act, 1857 (XIII of 1857), a person licensed to cultivate poppy may possess any quantity of poppy heads which are the produce of his cultivation.

7. Possession by licensed pass holders. A person holding a licence in Form P.H.-1 or P.H.-2 granted under these rules or holding a licence in Form L-1 or L-2 obtained under the Medicinal and Toilet Preparations (Excise Duties) Rules, 1956, who has obtained, in the manner hereinafter prescribed, a pass for the transport, import or export of poppy heads, may, subject to the conditions of the pass, possess such poppy heads not exceeding the quantity specified in the pass.

8. Possession by permit holders. (1) A person desiring to possess poppy heads, in excess of the limit of private possession specified in rule 3, shall submit to the Collector or the District Excise Officer, an application stating:

- (i) the reasons which render such possession necessary;
- (ii) the quantity required;
- (iii) the name of the licensed wholesale dealer from whom purchase is to be made; and
- (iv) the period for which possession is necessary;

(2) On receipt of an application under sub-rule (1) the Collector or the District Excise Officer, as the case may be, may cause such enquiry to be made, as he may deem necessary, and on being satisfied that there is no objection to grant the permit applied for, he may grant a permit in Form P.H.-3 on payment of a fee of Re.1.

(3) The permit holder holding permit in Form P.H.-3 may, subject to the conditions in the permit, possess poppy heads in quantities allowed and during the period specified in the licence.

(4) The permit in Form P.H.-3 shall be issued in triplicate. One copy thereof shall be given to the applicant, the second shall be supplied to the licensed wholesale dealer from whom purchase is to be made and the third shall be kept for the record.

(5) The permit holder shall return his copy of the permit within a week after the expiry of the period for which it was issued to him.

9. Possession on government account. Nothing in the foregoing rules applies to the possession of poppy heads on government account.

10. Prohibition on possession. Save as provided in these rules, possession of poppy heads is prohibited.

#### TRANSPORT

11. By private cultivator. A private individual may transport poppy heads legally obtained by him up to the quantity allowed under rule 3.

12. By licensed cultivator. A licensed cultivator of poppy may transport poppy heads, which are the produce of his cultivation, from his place of cultivation to his residence or from either place to any other place within the district for sale to a licensed wholesale or retail dealer or to a person holding a transport or export pass granted under these rules.

13. By licensed wholesale or retail dealer and by persons holding L-1 and L-2 licences.

(1) A wholesale or retail dealer holding a licence in Form P.H.-1 or P.H.-2 or a person holding a licence in Form L.1 or L.2 granted under the Medicinal and Toilet Preparations (Excise Duties) Rules, 1956, may apply to the Collector or the District Excise Officer for a transport pass in Form P.H.-4 and after obtaining the same may transport up to such quantity of poppy heads as is specified in the pass, purchased by him from a licensed cultivator or from a person holding a licence in Form P.H.-1.

(2) On receipt of the application mentioned in sub-rule (1) the Collector or the District Excise Officer may cause such enquiry to be made as he may deem necessary and, on being satisfied, he may grant the applicant a pass in Form P.H.-4, in quadruplicate. One copy of the pass shall be forwarded to the Excise Inspector of the place from which transport is to be made; one copy shall be sent to the Excise Inspector of the destination; one copy shall be handed over to the applicant for accompanying the consignment and the fourth copy shall be retained by him for the record.

(3) On arrival of the consignment at destination, the consignee shall inform the Excise Inspector of the circle and shall allow him to check and weigh the consignment and examine its contents:

Provided that in case the Excise Inspector of the circle fails to verify the consignment within a week of the notice of its arrival, the consignee may himself open it.

(4) The consignee shall after verification of the consignment make necessary entries on the reverse of the copy of the pass received by him along with the consignment and return it to the officer granting the transport pass.

(5) The Excise Inspector of the place from which transport is made shall after verification make necessary entries on the reverse of the copy of the pass received by him and return the same to the authority issuing the pass. Similar action will be taken by the Excise Inspector at the destination of the consignment.

14. By permit holder. Transport of poppy heads by persons holding a permit in Form P.H.-3, shall be covered by the permit itself when duly endorsed by the licensed wholesale dealer from whom purchase has been made.

15. On State government account. Poppy heads may be transported by the State government on their own account.

16. Prohibition on transport. Save as provided in the foregoing rules, the transport of poppy heads is prohibited.

#### IMPORTATION

17. On State government account. Poppy heads may be imported by the State government on their own account.

18. By wholesale dealer. (1) A wholesale dealer holding a licence in Form P.H.-1 and desiring to import poppy heads from any other State or Union Territory in India shall make an application to the Collector for an import pass in Form P.H.-5. The application shall be accompanied by a no-objection certificate from the Collector of the district from which poppy heads are to be imported and after obtaining the same may import poppy heads subject to the conditions of the pass to be granted in accordance with sub-rule (2).

(2) On receipt of an application under sub-rule (1) the Collector may cause such enquiry to be made as he may deem necessary and if he is satisfied that there is no objection, he may grant a pass in Form P.H.-5. The pass P.H.-5 shall be issued in quadruplicate. One copy thereof shall be handed over to the applicant to accompany the consignment, the second shall be forwarded to the Excise Authority of the place of export, the third shall be sent to the Excise Inspector of the place of import and the fourth shall be retained for the record.

(3) Sub-rules (3) to (5) of rule 13, shall apply mutatis mutandis to verification of consignments of poppy heads imported from outside the State.

19. Prohibition on import. Save as provided in the foregoing rules, the import into Uttar Pradesh of poppy heads in any quantity whatsoever is prohibited.

#### EXPORTATION

20. On State government account. The State government may export poppy heads on their own account.

21. By wholesale dealer. (1) A licensed wholesale dealer holding a licence in Form P.H.-1 desiring to export poppy heads to any State or Union Territory in India shall make an application to the Collector for an export pass in Form P.H.-6, enclosing with the application an import pass or a no-objection certificate from the Chief Excise Authority of the place to which such poppy heads are to be exported and after obtaining the export pass may export poppy heads subject to the conditions of the pass to be granted in accordance with sub-rule (2).

(2) On receipt of an application under sub-rule (1), the Collector may cause such enquiry to be made as he may deem necessary and, on being satisfied that there is no objection to grant the pass applied for, he may grant the applicant an export pass in Form P.H.-6. The pass shall be issued in quadruplicate. One copy thereof shall be handed over to the applicant to accompany the consignment, the second copy shall be forwarded to the Excise Authority of the place of import, the third copy shall be sent to the Excise Inspector of the place of export and the fourth shall be retained for the record.

(3) The Excise Inspector of the place of export shall after necessary verification make an entry on the reverse of the copy of the pass sent to him in respect of the quantity actually exported and return the same to the authority granting the pass.

(4) The consignee shall make the necessary entries on the reverse of the copy of the pass received by him along with the consignment and return the same, through the authority granting the import pass or no-objection certificate at the other end, to the authority in this State granting the export pass. If the export pass P.H.-6 is not received back duly endorsed within two months, export of a further consignment by the person concerned shall not be allowed.

22. Prohibition of export. Save as provided in the foregoing rules, the export of poppy heads outside Uttar Pradesh is prohibited.

#### GENERAL PROVISIONS REGULATING TRANSPORT, IMPORTATION AND EXPORTATION OF POPPY HEADS

23. Proper packing and sealing of consignment. Every consignment of poppy heads to be transported, imported or exported under these rules shall be properly packed, and firmly secured and sealed so that it cannot be opened and its contents cannot be tampered with or extracted without breakage or damage to seals or packing material.

24. Consignments liable to detention for inspection in transit. Any officer of the Excise Department not below the rank of an Excise Inspector or a Police Officer not below the rank of an officer-in-charge of a Police Station may detain, for inspection, examination or weighing, any consignment of poppy heads, in transit through his jurisdiction, for so long as may be reasonably necessary and call for the production of the pass or permit under which such poppy heads are being transported, imported or exported.

25. Report to be made to Collector in case of deficiency. If upon an inspection made under rule 24 any excess or deficiency between the quantity of poppy heads specified in the pass, permit or order and the actual quantity contained in any parcel or package to which the pass, permit or order relates is found to exist, and the consignor or consignee or person in

charge thereof cannot satisfactorily account for such excess or deficiency, the fact shall forthwith be reported to the Collector of the district in which such inspection is made, and pending the orders of the Collector the parcel or package in question shall be detained and kept sealed in the nearest Police Station by the inspecting officer.

26. **Driage allowance.** If on weighing any consignment of poppy heads, under the provisions of rule 13, 18 or 21 or in the course of inspection made under the provisions of rule 24, a deficiency between the quantity specified in the pass or permit and the actual quantity contained in any parcel or package to which the pass or permit relates is found to exist, such allowance on account of driage shall be made in reduction of that deficiency as may from time to time be notified in the official Gazette by the Excise Commissioner in that behalf, after prior approval of the State government.

27. **Precautionary measures by the railway administration.** (1) No person shall carry or offer for carriage any consignment containing poppy heads by rail unless such consignment is covered or accompanied by a pass, etc.

(2) The railway administration shall convey such consignment in accordance with the conditions laid down in such pass and the bulk of such consignment shall not be broken in transit.

28. **Transmission by post.** Transmission by post of poppy heads by persons holding licences in Form P.H.-1 or P.H.-2 or in Form L-1 or L-2, granted under the Medicinal and Toilet Preparations (Excise Duties) Rules, 1956, is permitted subject to the following conditions:

(a) While making such transmission only the parcel post shall be used and the parcel shall be insured.

(b) The transmission shall be covered by a pass issued by the Collector or the District Excise Officer.

(c) The parcel shall be accompanied by a declaration stating the names of the consignee and the consignor, the contents of the parcel in detail, the number and date of the pass covering the transmission and such other particulars as may from time to time be required by notification in the official Gazette by the Excise Commissioner after prior approval of the State government.

#### SALE

29. **By licensed cultivator.** (1) A licensed cultivator of poppy may sell poppy heads, which are the produce of his cultivation, to a licensed wholesale or retail dealer or to the government.

(2) When such sale is made the poppy cultivator shall enter, or cause to be entered in the licence issued to him under section 8 of the Opium Act, 1857, the particulars of each such sale and such particulars shall include the nature and quantity of the produce sold, the date of sale and the name and the details of the purchaser.

30. **By licensed wholesale dealer.** (1) Any person desiring to sell poppy heads in wholesale quantities shall apply to the Collector for a licence in Form P.H.-1.

(2) On receipt of an application under sub-rule (1), the Collector may cause such enquiry to be made as he deems necessary, and on being satisfied that there is no objection to the grant of the licence applied for he may, subject to the general or special orders of the State government and the Excise Commissioner, if any, grant the applicant a licence in Form P.H.-1 on payment of a fee of Rs.10 (Rupees ten).

(3) The licensee shall make sales only in accordance with the conditions laid down in the licence P.H.-1.

(4) The licensee may obtain his supplies as provided in these rules.

31. By licensed retail dealer. (1) Any person desiring to sell poppy heads in retail quantities shall make an application to the Collector for a licence in Form P.H.-2.

(2) On receipt of an application under sub-rule (1), the Collector may cause such enquiry to be made as he may deem necessary, and on being satisfied that there is no objection to grant the licence applied for may grant a licence in Form P.H.-2 on payment of a fee of Rs. 5 (Rupees five).

(3) The licensee shall make sales only in accordance with the conditions laid down in the licence in Form P.H.-2.

(4) The licensee may obtain his supplies as provided in these rules.

32. On State government account. The State government may sell poppy heads on their own account.

33. By licensed wholesale or retail dealer or by manufacturer on expiry of licence. Any person holding a licence in Form P.H.-1 or P.H.-2 granted under these rules or a licence in Form L-1 or L-2 granted under the Medicinal and Toilet Preparations (Excise Duties) Rule, 1956, may, with the sanction of the Collector or the District Excise Officer, sell within two weeks to any such licensee poppy heads left in his possession after the expiry of his licence.

34. Prohibition on sale. Save as provided in the foregoing rules the sale of poppy heads is prohibited.

#### GENERAL PROVISIONS GOVERNING LICENCES

35. Period of licence and its renewal. (1) A licence for the wholesale or retail sale of poppy heads shall be granted for the period ending the thirty-first day of March next following the date of the granting thereof.

(2) A licence may be renewed by the Collector on receipt of an application from the person concerned and on payment of the fees prescribed for the granting of such licence.

36. Licence for only one variety of poppy heads to be granted to an individual.

(1) Licence in Form P.H.-1 or P.H.-2 shall be granted in respect of only one variety of poppy heads viz., dried or unlanced, to an individual.

(2) Only one kind of licence to be granted to an individual. A wholesale dealer holding a licence in Form P.H.-1 shall not be granted a licence in Form P.H.-2 and vice versa.

37. No claim for renewal of any licence. No person to whom a licence may have been granted shall be entitled to claim renewal thereof as a matter of right, and no claim shall lie for damages or otherwise in consequence of refusal to renew a licence on the expiry of its term.

38. Accounts to be maintained by P.H.-1 and P.H.-2 licensees. Persons holding a licence in Form P.H.-1 or P.H.-2 shall maintain daily accounts of receipts and sales of poppy heads in Forms P.H.-7 and P.H.-8, respectively.

#### CANCELLATION OF LICENCES AND PERMITS

39. (1) The Collector or the District Excise Officer who has granted a licence, pass or permit under these rules may cancel or suspend any such licence, pass or permit granted by him if:

(a) a breach of any of the terms and conditions thereof has been committed by the holder or by any of his servants or by any one acting on his behalf with his express or implied permission, or

(b) the holder thereof is convicted of any offence punishable under the U.P. Excise Act, 1910 (Act IV of 1910) or the Opium Act, 1878 (Act I of 1878), or the Dangerous Drugs Act, 1930 (Act II of 1930), or the Medicinal and Toilet Preparations (Excise Duties) Act 1955<sup>43</sup>, or under the Spirituous Preparations (Inter-State Trade and Commerce) Control Act, 1955, or of any cognizable offence, or

(c) he is satisfied that the licence, pass or permit has been issued as a cloak for illicit sales:

Provided that before so cancelling a licence under clause (a) or (c) the Collector or the District Excise Officer, as the case may be, shall allow the licensee an opportunity of stating the cause against the proposed action.

(2) The holder of a licence, pass or permit shall not be entitled to any compensation for its cancellation or suspension or to the refund of any fee paid or deposit made in respect thereof.

(3) When a licence, pass or permit is cancelled under sub-rule (1) the Collector may also cancel any other licence, permit or pass granted to such person under the Opium Act, 1878 (Act I of 1878).

(4) The Collector may either on his own motion or on the recommendation of the District Excise Officer or an officer of the Excise Department not below the rank of an Assistant Excise Commissioner accept, from any person whose licence, pass or permit is liable to be cancelled under clause (a) or clause (b) of sub-rule (1), payment of a sum not exceeding Rs.200 in lieu of such cancellation. The money thus realized shall be deposited into the Treasury under the Head "8-Excise (a) Fines and Confiscations".

(5) When the payment referred to in sub-rule (4) has been duly made, no further proceedings shall be taken against such person in respect of the acts or commissions on account of which the licence, pass or permit is liable to cancellation.

40. Compensation for default of notice. Whenever the Collector considers that any licence, pass or permit should be cancelled otherwise than under rule 39(1) and (2) he shall remit a sum equal to half the average monthly fees, if any, realized during the currency of the licence, pass or permit and shall either give fifteen days' previous notice of his intention to cancel the licence, pass or permit or shall in addition to remitting the sum aforesaid make such reasonable compensation for default of notice as the Excise Commissioner may direct in this behalf. On the expiration of the notice, or on the payment of the additional compensation, the Collector may cancel the licence, pass or permit.

41. Surrender of licence. A licensee holding a licence in Form P.H.-1 or P.H.-2 may surrender his licence on the expiration of thirty days from the date of the notice given by him in writing to the Collector of his intention to surrender the same.

DISPOSAL OF POPPY HEADS REMAINING WITH LICENSEE OR PERMIT HOLDER  
AFTER EXPIRATION OF LICENCE OR PERMIT

42. (1) If any person, holding a licence in Form P.H.-1 or P.H.-2, or in Form L-1 or L-2 granted under the Medicinal and Toilet Preparations (Excise Duties) Rules, 1956, has in his possession, after the expiration of his licence, any poppy heads which he is unable to dispose of under rule 33, he shall inform the Collector accordingly and on requisition of the Collector or the District Excise Officer surrender the same to such officer as the Collector or the District Excise Officer may appoint in this behalf. The Collector or the District Excise Officer shall cause such poppy heads to be sold by auction to any person holding a licence authorizing him to purchase the same and shall pay the sale proceeds thereof after deducting the expenses of sale to the person whose poppy heads have been so sold:

Provided that if any quantity of the poppy heads is declared by the Chemical Examiner, Uttar Pradesh, to be unfit for use the Collector or the District Excise Officer shall cause that quantity of poppy heads to be destroyed.

(2) If any person holding a permit in Form P.H.-3 has in his possession after the expiration of his permit any poppy heads in excess of the limit of private possession, he shall

surrender the excess quantity to such officer as the Collector or the District Excise Officer may appoint in this behalf and thereafter the same shall be disposed of in the manner specified in sub-rule (1).

APPEAL AND REVISION

43. Orders appealable to the Excise Commissioner. An appeal shall lie to the Excise Commissioner from an order of the Collector or District Excise Officer under these rules and shall be presented to the Excise Commissioner, the Collector or the District Officer within thirty days from the date of intimation of the order passed in any particular case to the party concerned.

44. State government may revise any order. The State government may revise an order passed by the Excise Commissioner under these rules. Petition for revision shall be presented to the Excise Commissioner or the State government within thirty days of the intimation of the order to the party concerned against which revision is preferred.

45. Order to accompany petition for appeal and revision. A petition of appeal from or for revision of an order must be accompanied by the order in original or an authenticated copy thereof or the omission to produce the order or a copy must be explained.

FORM NO. P.H.-1

(Rule 30)

Licence for the possession and sale of dried\*/unlanced poppy heads in wholesale quantities by a licensed wholesale dealer

Register no .....

Locality .....

Name of licence holder .....

Name of salesman .....

Exact description of premises where poppy heads are to be stocked and sold .....

Licence is hereby granted under and subject to the provisions of the Opium Act, 1878 (Act I of 1878), and the rules made thereunder to ..... resident of ..... (hereinafter called the licensee) on payment of a licence fee of Rs. 10 (Rupees ten) only, authorizing him to buy, possess and sell dried poppy heads\*/unlanced poppy heads at ..... in the district of ..... subject to the following conditions, namely:

CONDITIONS

1. This licence shall remain in force from ..... to 31 March 19 (both days inclusive).
2. The licensee shall not obtain poppy heads except as permitted under the U.P. Poppy Heads Rules, 1961.
3. The licensee shall not keep poppy heads except at the above-said premises.
4. The licensee shall make sales only from the premises shown in this licence.

\* Note: strike out whichever is not applicable. This licence shall be valid in respect of the variety of poppy heads not struck out.



5. No poppy heads other than those obtained under this licence shall be possessed or sold by the licensee. He shall not open his shop for purposes of sale before sunrise nor shall he keep it open after 8 pm.

6. The licensee shall sell poppy heads only. He shall neither keep any stock of, nor sell, either mixed with poppy heads (which he is authorized to sell) or separately, chloral hydrate, butyl-chloral hydrate or para-aldehyde.

7. The licensee shall sell poppy heads in wholesale quantities only as prescribed in the U.P. Poppy Head Rules, 1961.

8. He shall make sales only to persons holding licences in Form P. H.-1 or P.H.-2 or permits in Form P.H.-3 issued under U.P. Poppy Heads Rules, 1961, or licences in Form L-1 or L-2 issued under the Medicinal and Toilet Preparations (Excise Duties) Rules, 1956.

9. At the entrance to the shop a signboard shall be affixed by the licensee on which shall be shown the name of the licensee and the designation "Wholesale licensed vendor of dried poppy heads" or "Wholesale licensed vendor of unalanced poppy heads", as the case may be.

10. The licensee shall not permit on the above-mentioned premises the consumption of poppy heads in any form.

11. The licensee shall not allow any person to conduct sales on his behalf unless the name of such person has previously been submitted by him for approval to the Collector, and the same having been approved has been duly endorsed on the licence.

12. The licensee shall maintain accurate scales and weights and shall keep the same in good condition.

13. The licensee shall keep in Form P.H.-7 daily accounts of receipts and sales of poppy heads made by him.

14. The licensee shall produce his licence and accounts for inspection on demand by any Excise Officer empowered under section 14 of the Opium Act, 1878, and shall permit any such officer to enter his premises at any hour between sunrise and sunset. He shall allow such officer to check the stock of poppy heads and to take samples thereof.

15. The licensee shall not sell, transfer or sublet the privileges conferred upon him by this licence, nor shall he admit any person as partner in the business carried on under this licence save with the permission of the Collector.

16. Any contravention of any of the conditions of this licence or of any condition imposed on the licensee by the Opium Act, 1878, or by rules made thereunder shall render this licence liable to cancellation by the Collector, and the poppy heads, in respect of which such contravention is made, liable to confiscation according to the provision of the Opium Act, 1878.

17. In case this licence is not renewed on its expiry, the licensee shall forthwith hand over the unused stock of poppy heads to the Collector.

18. The licensee shall also hand over the accounts which he is required to keep under this licence.

District .....

Dated .....

Collector

FORM No. P.H-2

(Rule 31)

Licence for the possession and sale of dried\*/unlanced poppy heads

in retail quantities by a licensed retail dealer.

Register No. ....

Locality .....

Name of licence holder .....

Name of salesman .....

Exact description of premises where poppy heads are to be stocked and sold .....

Licence is hereby granted under and subject to the provisions of the Opium Act, 1878 (Act I of 1878), and, the rules made thereunder to ..... resident of ..... (hereinafter called the licensee) on payment of a licence fee of Rs. 5 (Rupees five) only, authorizing him to buy, possess and sell dried poppy heads\*/unlanced poppy heads at ..... in the district of ..... subject to the following conditions, namely:

Conditions

1. This licence shall remain in force from ..... to 31 March 19 (both days inclusive).
2. The licensee shall not obtain poppy heads except as permitted under the U.P. Poppy Heads Rules 1961.
3. The licensee shall not keep poppy heads except at the above said premises.
4. The licensee shall make sales only from the premises shown in this licence.
5. No poppy heads other than those obtained under this licence shall be possessed or sold by the licensee. He shall not open his shop for purposes of sale before sunrise nor shall keep it open after 8 pm.
6. The licensee shall sell poppy heads only. He shall neither keep any stock of, nor sell, either mixed with poppy heads (which he is authorized to sell) or separately, chloral hydrate, butyl-chloral hydrate or para-aldehyde.
7. The licensee shall sell poppy heads in retail quantities only as prescribed in the U.P. Poppy Head Rules, 1961.
8. At the entrance to the shop a signboard shall be affixed by the licensee on which shall be shown the name of the licensee, and the designation "Retail licensed vendor of dried poppy heads" or "Retail licensed vendor of unlanced poppy heads", as the case may be.
9. The licensee shall not permit on the above-said premises the consumption of poppy heads in any form.
10. The licensee shall not allow any person to conduct sales on his behalf unless the name of such person has previously been submitted by him for approval to the Collector, and the same having been approved has been duly endorsed on the licence.
11. The licensee shall maintain accurate scales and weights and shall keep the same in good condition.

\* Note: Strike out whichever is not applicable. This licence shall be valid in respect of the variety of poppy heads not struck out.

12. The licensee shall keep in Form P.H.-8 daily accounts of receipts and sales of poppy heads made by him.

13. The licensee shall produce his licence and accounts for inspection on demand by any Excise Officer empowered under section 14 of the Opium Act, 1878, and shall permit any such officer to enter his premises at any hour between sunrise and sunset. He shall allow such officer to check the stock of poppy heads and to take samples thereof.

14. The licensee shall not sell, transfer or sublet the privileges conferred upon him by this licence, nor shall he admit any person as partner in the business carried on under this licence save with the permission of the Collector.

15. Any contravention of any of the conditions of this licence or of any condition imposed on the licensee by the Opium Act, 1878, or by rules made thereunder shall render this licence liable to cancellation by the Collector and the poppy heads, in respect of which such contravention is made, liable to confiscation according to the provisions of the Opium Act, 1878.

16. In case this licence is not renewed on its expiry, the licensee shall forthwith hand over the unused stock of poppy heads to the Collector.

17. The licensee shall also hand over the accounts which he is required to keep under this licence.

District .....

Dated .....

Collector

FORM P.H.-3

(Rule 8)

Special permit for purchase, transport and possession of dried\*/unalanced poppy heads

No. .... Date .....

Name and address of the permit holder .....

Locality where the poppy heads shall be possessed and used .....

Quantity of dried\*/unalanced poppy heads which can be purchased, transported and possessed .....

Particulars of the wholesale dealer from whom purchase is to be made .....

Purpose for which poppy heads are required .....

Period of validity of the permit .....

District .....

Dated .....

Collector

District Excise Officer

\* Note: Strike out whichever is not applicable.

This permit is granted subject to the conditions specified in rule 8 of the U.P. Poppy Head Rules, 1961, and should be returned to the Collector on or before .....

Sold ..... (Quantity) dried\*/unlanced poppy heads to the above-named permit holder.

Dated .....

.....  
Wholesale dealer

FORM No. P.H.-4

(Rule 13)

(Counterfoil)

Pass for the transport of dried\*/unlanced poppy heads.

Serial no. .... Dated ..... 19 .

Sri\*/Sarvsri ..... is\*/are

hereby authorized to transport from ..... to .....  
dried\*/unlanced poppy heads as detailed below:

Packages

Total quantity of poppy heads to be transported \_\_\_\_\_  
No. Gross weight

This pass is granted under and subject to the provisions of the U.P. Poppy Head Rules, 1961, and subject to the following conditions:

- (1) The consignment shall not be broken in transit.
- (2) This pass shall remain in force up to and including .....

19 .

Signature and designation  
of the officer issuing the pass

- (1) Quantity of dried/unlanced poppy heads transported as actually received.
- (2) Examination of the contents of the consignment.
- (3) Signature of the consignee.

FORM No. P.H.-4

(Rule 13)

(Duplicate)

Pass for the import of dried\*/unlanced poppy heads.

Serial no. .... Dated ..... 19 .

Sri\*/Sarvsri ..... is\*/are

hereby authorized to transport from ..... to .....  
dried\*/unlanced poppy heads as detailed below:

\* Note: Strike out whichever is not applicable.

Packages

Total quantity of poppy heads to be imported \_\_\_\_\_  
No. Gross weight

This pass is granted under and subject to the provisions of the U.P. Poppy Head Rules, 1961, and subject to the following conditions:

- (1) The consignment shall not be broken in transit.
- (2) This pass shall remain in force up to and including ..... 19 .

Signature and designation  
of the officer issuing the pass

FORM NO. P.H.-5

(Rule 18)

(Triplicate)

Pass for the import of dried\*/unlanced poppy heads.

Serial no ..... Dated ..... 19 .

Sri\*/Sarvsri is\*/are

hereby authorized to import from ..... to .....  
dried\*/unlanced poppy heads as detailed below:

Packages

Total quantity of poppy heads to be imported \_\_\_\_\_  
No. Gross weight

This pass is granted under and subject to the provisions of the U.P. Poppy Head Rules, 1961, and subject to the following conditions:

- (1) The consignment shall not be broken in transit.
- (2) This pass shall remain in force up to and including ..... 19 .

Signature and designation  
of the officer issuing the pass

FORM No. P.H.-5

(Rule 18)

(Quadruplicate)

Pass for the import of dried\*/unlanced poppy heads.

Serial no ..... Dated ..... 19 .

Sri\*/Sarvsri is\*/are

\* Note: Strike out whichever is not applicable.

hereby authorized to import from ..... to .....  
dried\*/unlanced poppy heads as detailed below:

Total quantity of poppy heads to be imported	Packages	
	No.	Gross weight

This pass is granted under and subject to the provisions of the U.P. Poppy Head Rules, 1961, and subject to the following conditions:

- (1) The consignment shall not be broken in transit.
- (2) This pass shall remain in force up to and including ..... 19 .

Signature and designation  
of the officer issuing the pass

FORM No. P.H.-6

(Rule 21)

(Counterfoil)

Pass for the export of dried\*/unlanced poppy heads.

Serial no. .... Dated ..... 19 .

Sri\*/Sarvsri ..... is\*/are

hereby authorized to export dried\*/unlanced poppy heads as detailed below:

Total quantity of dried*/unlanced poppy heads to be exported	Packages	
	No.	Gross weight

This pass is granted under and subject to the provisions of the U.P. Poppy Head Rules, 1961, and subject to the following conditions:

- (1) The consignment shall not be broken in transit.
- (2) This pass shall remain in force up to and including ..... 19 .

Signature and designation  
of the officer issuing the pass

FORM No. P.H.-6

(Rule 21)

(Duplicate)

Pass for the export of dried\*/unlanced poppy heads.

Serial no. .... Dated ..... 19 .

Sri\*/Sarvsri ..... is\*/are

\* Note: Strike out whichever is not applicable.

hereby authorized to export dried\*/unlanced poppy heads as detailed below:

	Packages
Total quantity dried*/unlanced of poppy heads	_____
to be exported	No. Gross weight

This pass is granted under and subject to the provisions of the U.P. Poppy Head Rules, 1961, and subject to the following conditions:

- (1) The consignment shall not be broken in transit.
- (2) This pass shall remain in force up to and including ..... 19 .

Signature and designation  
of the officer issuing the pass

FORM No. P.H.-6

(Rule 21)

(Triplicate)

Pass for the export of dried\*/unlanced poppy heads.

Serial no. .... Dated ..... 19 .

Sri\*/Sarvsri is\*/are

hereby authorized to export dried\*/unlanced poppy heads as detailed below:

	Packages
Total quantity of dried*/unlanced poppy heads	_____
to be exported	No. Gross weight

This pass is granted under and subject to the provisions of the U.P. Poppy Head Rules, 1961, and subject to the following conditions:

- (1) The consignment shall not be broken in transit.
- (2) This pass shall remain in force up to and including ..... 19 .

Signature and designation  
of the officer issuing the pass

FORM No. P.H.-6

(Rule 21)

(Quadruplicate)

Pass for export of dried\*/unlanced poppy heads.

Serial no. .... Dated ..... 19 .

Sri\*/Sarvsri is\*/are

\* Note: Strike out whichever is not applicable.

hereby authorized to export dried\*/unlanced poppy heads as detailed below:

	<b>Packages</b>
Total quantity of dried*/unlanced poppy heads to be exported	No.    Gross weight

This pass is granted under and subject to the provisions of the U.P. Poppy Heads Rules, 1961, and subject to the following conditions:

- (1) The consignment shall not be broken in transit.
- (2) This pass shall remain in force up to and including ..... 19 .

Signature and designation  
of the officer issuing the pass

FORM No. P.H.-7

(Rule 38)

Register of accounts of dried\*/unlanced poppy heads purchased and sold by a licensed wholesale dealer during the month of ..... 19 .

Name of licensee .....

Date	Opening balance	Quantity purchased	Name and address of the licensee or cultivator from whom purchase made	No. and date of transport or import pass granted by the Collector	Total (columns 2 and 3)	Quantity sold	Name or address of purchaser or holder to whom sold	No. and date of trans- port or export pass or special permit granted by the Collec- tor for such sale	Clos- ing Bal- ance	Remarks
1	2	3	4	5	6	7	8	9	10	11

\* Note: Strike out whichever is not applicable.



hereby authorized to export dried\*/unlanced poppy heads as detailed below:

	Packages
Total quantity dried*/unlanced of poppy heads	_____
to be exported	No. Gross weight

This pass is granted under and subject to the provisions of the U.P. Poppy Head Rules, 1961, and subject to the following conditions:

- (1) The consignment shall not be broken in transit.
- (2) This pass shall remain in force up to and including ..... 19 .

Signature and designation  
of the officer issuing the pass

FORM No. P.H.-6

(Rule 21)

(Triplicate)

Pass for the export of dried\*/unlanced poppy heads.

Serial no. .... Dated ..... 19 .

Sri\*/Sarvsri is\*/are

hereby authorized to export dried\*/unlanced poppy heads as detailed below:

	Packages
Total quantity of dried*/unlanced poppy heads	_____
to be exported	No. Gross weight

This pass is granted under and subject to the provisions of the U.P. Poppy Head Rules, 1961, and subject to the following conditions:

- (1) The consignment shall not be broken in transit.
- (2) This pass shall remain in force up to and including ..... 19 .

Signature and designation  
of the officer issuing the pass

FORM No. P.H.-6

(Rule 21)

(Quadruplicate)

Pass for export of dried\*/unlanced poppy heads.

Serial no. .... Dated ..... 19 .

Sri\*/Sarvsri is\*/are

\* Note: Strike out whichever is not applicable.

hereby authorized to export dried\*/unlanced poppy heads as detailed below:

	<b>Packages</b>
Total quantity of dried*/unlanced poppy heads to be exported	_____
	No.    Gross weight

This pass is granted under and subject to the provisions of the U.P. Poppy Heads Rules, 1961, and subject to the following conditions:

- (1) The consignment shall not be broken in transit.
- (2) This pass shall remain in force up to and including ..... 19 .

Signature and designation  
of the officer issuing the pass

FORM No. P.H.-7

(Rule 38)

Register of accounts of dried\*/unlanced poppy heads purchased and sold by a licensed wholesale dealer during the month of ..... 19 .

Name of licensee .....

Date	Opening balance	Quantity purchased	Name and address of the licensee or cultivator from whom purchase made	No. and date of transport or import pass granted by the Collector	Total (columns 2 and 3)	Quantity sold	Name or address of purch- aser or permit holder to whom sold	No. and date of trans- port or export pass or special permit granted by the Collec- tor for such sale	Clos- ing Bal- ance	Remarks
1	2	3	4	5	6	7	8	9	10	11

\* Note: Strike out whichever is not applicable.

FORM No. P.H.-8

(Rule 38)

Register of accounts of dried\*/unlanced poppy heads purchased and sold by a licensed retail dealer during the month of ..... 19 .

Name of licensee .....

Date	Opening balance	Quantity purchased	Name of the licensed wholesale dealer or cultivator from whom purchase made	No. and date of transport pass granted by the collector	Total (columns 2 and 3)	Quantity sold	Closing balance	Remarks
1	2	3	4	5	6	7	8	9

\* Note: Strike out whichever is not applicable.

By order,  
H.C. SAXENA,  
Sachiv

E/NL.1962/70

Punjab Government Gazette  
11 September 1959

PUNJAB MANUFACTURED DRUGS RULES, 1959  
Revenue Department Excise and Taxation  
Notification No. 4187-E&T(VII)-59/5917  
29 August 1959

With reference to Punjab Government notification No. 2969-E&T-58/1960, dated 12 July, 1958, and in supersession of all previous notifications in this behalf and in exercise of the powers conferred by sub-section (2) of section 8 of the Dangerous Drugs Act, 1930 (Act II of 1930), the Governor of Punjab is pleased to make the following rules for the manufacture of medicinal opium, and of any preparation containing morphine, diacetylmorphine <sup>heroin</sup> or cocaine from the material which the maker is lawfully entitled to possess, and for regulating interstate import, export, transport, possession and sale of manufactured drugs, other than prepared opium, and coca leaf:

RULES

1. (1) These rules may be called the Punjab Manufactured Drugs Rules, 1959.
- (2) They shall, unless it is expressly stated to the contrary, apply to the whole of the State of Punjab.

A. DEFINITIONS

2. In these rules, unless there is anything repugnant in the subject or context:
  - (1) "Act" means the Dangerous Drugs Act, 1930 (II of 1930);
  - (2) "Civil Surgeon" means the civil surgeon or other principal medical officer of a district;
  - (3) "Deputy Excise and Taxation Commissioner" means the Officer-in-charge of the Excise Administration of a division in Punjab;
  - (4) "Excise Commissioner" means the officer who is the Head of the Excise Administration in Punjab and is designated as Excise and Taxation Commissioner, Punjab;
  - (5) "Excise Officer" means and includes every officer invested with the powers of an Excise Officer under the Punjab Excise Act, 1914;
  - (6) "Excise and Taxation Officer" means the officer holding charge of the Excise Administration of the district, and includes the Assistant Excise and Taxation Officer of the district;
  - (7) "Form" means a form appended to these rules;
  - (8) "Licensed chemist" means a person who has obtained a licence for the possession, compounding and sale of coca derivatives and opium alkaloidal derivatives;
  - (9) "Licensed druggist" means a person licensed to dispense or to keep a shop for the sale of medicinal hemp <sup>cannabis</sup> or medicinal opium intended for use as medicine and for the manufacture of medicinal opium;
  - (10) "Medical practitioner" means a person holding a qualification granted by an authority specified or notified under section 3 of the Indian Medical Degrees Act, 1916 (VII of 1916) or the Patiala Medical Degrees Act, 1999 BK., or specified in the Schedules to the Indian Medical Council Act, 1956

(Parliament Act No. 102 of 1956) and the Dentists Act, 1948 (XVI of 1948) or a person registered or eligible for registration in a medical register of the State meant for registration of persons practising the allopathic or Unani or Ayurvedic system of medicine;

- (11) "Opium alkaloidal derivatives" means:
- (i) morphine, that is, the principal alkaloid of opium having the chemical formula C<sub>17</sub>H<sub>19</sub>No. 3 and its salts;
  - (ii) diacetylmorphine, that is, the alkaloid, also known as diamorphine or heroin, having the chemical formula C<sub>21</sub>H<sub>23</sub>No. 5 and its salts;
  - (iii) all preparations, official and non-official, containing more than 0.2 per cent of morphine or containing any diacetylmorphine heroin;
- (12) "Prescription" means a prescription given by a medical practitioner for the supply of medicinal opium or coca derivatives or opium alkaloidal derivatives to a patient;
- (13) "State government" means the Government of the State of Punjab;
- (14) "To export" means to export interstate as defined in clause (1) of section 2 of the Dangerous Drugs Act, 1930; and
- (15) "To import" means to import interstate as defined in clause (j) of section 2 of the Dangerous Drugs Act, 1930.

#### B. POSSESSION, IMPORT, EXPORT AND TRANSPORT

3. Any person may possess such quantity of medicinal hemp cannabis or medicinal opium which may be sold to him by a licensed druggist for medicinal purposes. He may possess such quantities of opium alkaloidal derivatives or of coca derivatives as have been at one time dispensed and sold for his use in accordance with the provisions of these rules.

4. A person to whom a pass has been granted under these rules for the import, export or transport of manufactured drugs, other than prepared opium, may import, export or transport such quantities of the drugs in such manner as may be specified in the pass.

5. The import, export, transport, possession and sale of coca leaves is prohibited in Punjab.

6. (1) Subject to the provisions of these rules any person may import and transport such quantities of manufactured drugs as he may lawfully possess under these rules.

(2) Notwithstanding anything contained in sub-rule (1), no person shall import or transport prepared opium and import coca derivatives in any quantity whatsoever.

7. A person authorized in this behalf by the Excise Commissioner by special order may export such quantity of manufactured drugs, other than prepared opium, and in such manner as may be specified in that order.

8. Every person importing, exporting or transporting manufactured drugs, other than prepared opium, shall comply with such general or special directions as may be given by the Excise Commissioner.

9. Save as otherwise provided, nothing in these rules shall be deemed to permit the import, export or transport of manufactured drugs by post.

10. All applications for permits to import and transport manufactured drugs other than prepared opium shall be in Form D.D.1.

11. The import, export and transport of manufactured drugs, other than prepared opium, by or on behalf of the State government may be carried out without restriction: provided that in the case of transit by post, the import, export or transport shall be subject to the following restrictions:

- (a) only parcel post may be used;
- (b) the parcel shall be accompanied by a declaration stating the name or designation of the consignee and consignor, the content of the parcel in detail and the indent number and date covering the transaction;
- (c) the consignee shall show distinctly in his account books the name or designation of the consignor, and the quantity of the drugs sent to him from time to time by post.

12. All preparations containing not more than 0.2 per cent of morphine or 0.1 per cent of cocaine and any preparation which the Central Government may by notification in the official gazette, made in pursuance of a finding under article 8 of the Geneva Convention or in pursuance of any international convention supplementing the Geneva Convention, declare not to be manufactured drugs, may be imported, exported, transported, possessed or sold without restriction.

13. The provisions of these rules shall not apply to the import, export, transport, possession or sale of codeine, dionin /ethylmorphine/ and their respective salts, unless the quantity involved in any transaction, or possessed at any one time, exceeds one pound.

14. The Deputy Excise and Taxation Commissioner or such other officer as the Excise Commissioner may empower in this behalf may grant to a licensed druggist or licensed chemist permits in Form D. D. 2 for the import and transport of manufactured drugs, other than prepared opium, not exceeding the quantity which such licensed druggist or chemist is entitled to possess.

15. The Deputy Excise and Taxation Commissioner or such other officer as the Excise Commissioner may empower in this behalf may grant to a licensed druggist or licensed chemist passes in Forms D. D. 3 and D. D. 4 for the export and transport of manufactured drugs, other than the prepared opium, respectively, not exceeding the quantity which such a licensed druggist or chemist is entitled to possess:

Provided that export and transport passes shall not be granted except on the production of a permit signed by the competent authority of the district of destination.

Explanation. An indent for opium alkaloidal derivatives or coca derivatives countersigned by the Chief Medical Officer of a State or a Civil Surgeon or a Superintendent of a Civil Veterinary Department in a State shall for the purpose of this rule be deemed to be a permit, and shall not require further countersignature.

Note. A pass shall remain in force only for the period specified therein.

#### C. MEDICAL PRACTITIONERS

16. (1) A medical practitioner may possess the following quantities of manufactured drugs other than prepared opium for use in his practice and not for sale.

Provided that a medical practitioner of the indigenous systems of medicines may possess only those manufactured drugs which are included in the indigenous system of medicine:

- |   |   |
|---|---|
| (i) Morphine (in all forms)                         | .. 2 g  |
| (ii) Codeine (in all forms)                         | .. 2 g  |
| (iii) Cocaine (in all forms)                        | .. 2 g  |
| (iv) <u>Methadone</u> <sup>16/</sup> (in all forms) | .. 1 g  |
| (v) <u>Pethidine</u> (in all forms)                 | .. 2 g  |
| (vi) Opium  | .. 30 g   |
| (vii) Other dangerous drugs                         | .. A quantity equivalent to 100 average doses, as fixed by the Drug Controller (India) from time to time; |

Provided further that the Deputy Excise and Taxation Commissioner may, with the prior approval of the Excise Commissioner, authorize any such practitioner to possess as aforesaid any larger quantity.

Explanation: (a) The term "use in his practice" covers only the actual direct administration of the drugs in injections, surgical operations or other emergency cases by or in the presence of a medical practitioner.

(b) All other issues of the manufactured drugs by a medical practitioner from his dispensary will amount to sale.

(2) (i) A medical practitioner, who is permitted to possess manufactured drugs without a licence under sub-rule (1), shall obtain his supplies from a licensed chemist or druggist only and shall maintain a register showing receipts as well as disposals of each drug. The register shall be in Form D.D. 7-A.

(ii) A separate register or a separate part of the register shall be assigned to each of the following classes of drugs and preparations:

- (1) Cocaine and ecgonine and preparations containing cocaine or ecgonine;
- (2) Morphine and preparations containing morphine;
- (3) Diacetylmorphine [heroin] and its preparations;
- (4) Medicinal opium;
- (5) Dihydrohydroxycodone [oxycodone] (commonly known as eucodal) and preparations containing dihydrohydroxycodone;
- (6) Dihydrocodeinone [hydrocodone] (commonly known as dicodide) and its preparations;
- (7) Extracts or tinctures of Indian hemp [cannabis];
- (8) Dihydromorphinone [hydromorphone] (commonly known as dilaudid) and preparations containing dihydromorphinone.

(iii) Entries in the register must be made on the day on which the manufactured drug is received or dispensed. It is not necessary that the medical practitioner should himself enter in the register the particulars of manufactured drugs administered by him or under his supervision, but entries must be verified by him on the date of entry or on the following date. Where a medical practitioner practises on more than one premises, a separate account of manufactured drugs kept on each premises shall be maintained.

16/ Note by the Secretariat: Proposed or recommended international non-proprietary names of drugs are underlined.

(iv) Every entry required to be made and every correction of such an entry must be made in ink and no cancellation, obliteration or alteration shall be made of any entry in the register and any correction of any entry must be made by way of a marginal note or footnote, which must specify the date on which the correction is made.

(v) The stock of manufactured drugs in the possession of a medical practitioner and the accounts relating thereto shall be open for inspection by any officer of the Health Department not below the rank of Assistant Surgeon or District Medical Officer of Health or an Excise Office not below the rank of Sub-Inspector. The medical practitioner shall, if required to do so by the Deputy Excise and Taxation Commissioner, submit such information relating to the transactions in manufactured drugs as may be demanded from him.

(vi) If a messenger is sent by the medical practitioner to take delivery of the manufactured drugs, the messenger must be given an authority in writing signed by him and specifying the messenger by name, to receive the drugs on his behalf. A licensed chemist and druggist is forbidden to deliver drugs to a messenger not so authorized. In emergencies, when the medical practitioner is unable to send a signed order the licensee may act on the oral message of a medical practitioner known to him provided that on delivery of the drugs he receives a signed order from the medical practitioner or an undertaking that the signed order will be furnished within twenty-four hours.

(vii) The medical practitioner shall keep the drugs under lock and key.

(viii) While carrying drugs to the house of a patient the medical practitioner shall take full precautions for the safe custody of manufactured drugs. Thefts and losses of manufactured drugs should be forthwith reported to the nearest excise or police official.

(ix) All records including registers and day book must be kept for not less than two years from the date of the last entry therein.

(3) A medical practitioner, who wishes to possess or dispense the manufactured drugs, other than prepared opium, for use in his practice and not for sale, shall get himself registered on application with the Excise and Taxation Officer of the district concerned. The full particulars of such registration shall be maintained in a register in Form D. D. 7-B. No fee shall be charged for such registration. The Excise and Taxation Officer shall, immediately after the registration of the medical practitioner, issue him a Registration Certificate in Form D. D. 7-C, which shall be produced by him, on demand by any Excise Officer, for inspection.

17. (i) A medical practitioner may mix for use in his medical practice manufactured drugs which he is lawfully entitled to possess and which are required for use in the exercise of his profession.

Note: A medical practitioner who desires to distribute and sell any manufactured drug must take out a licence under these rules.

(ii) A medical practitioner of the indigenous system of medicine may prescribe only those manufactured drugs which are included in the indigenous systems of medicine.

18. A medical practitioner may import and transport such quantities of manufactured drugs, other than prepared opium, as he may lawfully possess, save that no medical practitioner may import coca derivatives from outside Punjab. The importation of manufactured drugs by post is absolutely prohibited.



- (1) The Deputy Excise and Taxation Commissioner may, with the previous sanction of the Excise Commissioner, by general or special order authorize a medical practitioner in charge of managing or supervising a hospital or dispensary to possess, import and transport such quantities of manufactured drugs, other than prepared opium, and in such manner as may be specified in that order.
- (2) The medical practitioner, mentioned in sub-rule (1), shall send an application showing his annual requirements of manufactured drugs, other than prepared opium, in the case of civil hospitals or dispensaries to the Director of Health Services, Punjab, in the case of military hospitals, to the Senior Medical Officer-in-charge of Military Hospitals, and in the case of veterinary hospitals to the Director of Animal Husbandry, Punjab, who shall forward it to the Deputy Excise and Taxation Commissioner with his recommendation.
- (3) The Deputy Excise and Taxation Commissioner shall then refer the case to the Excise Commissioner, Punjab, who will issue the necessary sanction authorizing the practitioner to possess specified quantities of manufactured drugs, other than prepared opium, during a year.
- (4) On receipt of sanction the medical practitioner will obtain his requirements from time to time, within the limits of the quantities of manufactured drugs, other than prepared opium, specified therein, but if, at any time, his requirements are likely to exceed the specified quantities, he shall apply for additional quantities in like manner. The annual indent shall be obtained from the same firm from which the first requirement is obtained and each receipt and issue shall be noted in the register in Form D.D. 7-A to facilitate checking.

19. The Deputy Excise and Taxation Commissioner or any other officer empowered in this behalf by the Excise Commissioner may grant to a medical practitioner a permit in Form D.D.2 for the import or transport of medicinal hemp cannabis, medicinal opium and opium alkaloidal derivatives.

#### D. LICENSED DRUGGISTS - D.D. 5 LICENCES

20. (a) The Excise Commissioner, or any other officer specially empowered by him in this behalf, may on the recommendation of the State Drug Controller, Punjab, grant to any person a druggist's licence in Form D.D. 5 on payment of a fee of rupees ten and subject to the following conditions:

Provided that no licence in Form D. D. 5 shall be granted to a person who does not hold licences in Forms F. 20 and F. 21 of the Drugs Rules, 1945, made under the Drugs Act, 1940 (XXIII of 1940).

- (1) The licensee shall be bound by the provisions of the Act and these rules and any other rules which may, from time to time, be made under the Act.
- (2) The licensee shall be responsible for the acts and omissions of every person employed by him in carrying on his business and of all his servants, as if the said acts and omissions were his own.
- (3) The licensee shall not permit any manufactured drug, which he is authorized to sell, to be dispensed or handled by any person other than a medical practitioner or a dispenser registered under the Pharmacy Act, 1948 (Act No. VII of 1948).
- (4) The licensee shall be authorized to sell the following drugs for medicinal purposes only:

- (i) medicinal hemp cannabis;
  - (ii) medicinal opium;
  - (iii) preparations containing medicinal hemp cannabis or medicinal opium.
- (5) The licensee shall not have in his possession any medicinal hemp cannabis, medicinal opium or excise opium in quantities in excess of those stated in his licence, and shall not keep the same in any place except the premises described in the licence. He may also possess such quantity of pure opium as is specified in the licence for the manufacture of medicinal opium.
- (6) The licensee shall procure his supplies either from a licensed vendor in Punjab, or by importation from a licensed vendor in some other State, after obtaining from the Deputy Excise and Taxation Commissioner a permit in Form D.D.2. The importation of his supplies by post is absolutely prohibited.
- (7) The licensee is authorized to manufacture medicinal opium cannabis and to compound any preparation containing medicinal hemp or medicinal opium from the materials which he is lawfully entitled to possess.
- (8) The licensee shall maintain correct accounts of all transactions. Such accounts shall show, in respect of each receipt, the source of supply and the quantity received, and, in respect of issues, the quantity issued each day, the original prescriptions on which they have been issued and, in the case of issues made otherwise than on a prescription, receipts from the persons to whom the issues were made. Such accounts shall be preserved for not less than two years from the date of the last entry in the accounts, and should be signed by any excise officer who inspects the licensed premises.
- (9) Any package or bottle containing drugs shall before sale be marked with the quantity of the drugs in the package or bottle.
- (10) A preparation, admixture, extract or other substance containing drugs shall be sold only in a package or bottle plainly marked:
- (i) in the case of a powder, solution or ointment, with the total quantity thereof in the package or bottle and the percentage of the drugs in the powder, solution or ointment; and
  - (ii) in the case of tablets or other articles, with the quantity of drugs in each article, and the number of articles in the package or bottle.
- (11) All stocks of the pure opium, medicinal hemp cannabis and medicinal opium and all accounts and records of transactions under the licence shall be open to inspection by any officer of the Excise Department not below the rank of a Sub-Inspector and any officer of the Drugs Control Department not below the rank of a Drugs Inspector.
- (12) The licensee shall on requisition by the Excise Commissioner or any officer duly authorized by him in this behalf deliver up his licence for amendment or for the issue of a fresh licence.
- (13) The licensee shall on the first day of every quarter submit a correct quarterly statement showing the quantity of pure opium, medicinal hemp cannabis and medicinal opium received by him during the quarter, the quantity sold by him and the quantity remaining in his possession to the Excise and Taxation Officer of the district concerned and the Drugs Inspector of the Drugs Control Department, Punjab.

- (14) If on the expiry or cancellation of the licence, any stocks of pure opium, medicinal hemp /cannabis/ or medicinal opium remain in the possession of the licensee, he shall at once surrender these stocks to the Deputy Excise and Taxation Commissioner. If any portion of these stocks is declared by the Civil Surgeon to be unfit for human consumption the Deputy Excise and Taxation Commissioner shall forthwith cause that portion to be destroyed, and the licensee shall not be entitled to claim any compensation for loss resulting from the destruction of such a portion of the drugs.
- (15) If any portion of the drugs is fit for human consumption, the Deputy Excise and Taxation Commissioner shall make over such opium, medicinal hemp /cannabis/ or medicinal opium, in any quantity not exceeding that which the transferee is likely to sell within two months, to the incoming licensed vendor, who is taking the place of the previous licensee, if the latter has surrendered these to the Deputy Excise and Taxation Commissioner or to any other licensed vendor of the district.
- (16) The licensee shall be bound to accept from the Deputy Excise and Taxation Commissioner any portion of excise opium, medicinal hemp /cannabis/ and medicinal opium, which in the opinion of the Deputy Excise and Taxation Commissioner does not amount to more than two months' supply, at such a price as shall be determined by the Deputy Excise and Taxation Commissioner. The price shall be paid to the previous licensee, if he has surrendered the drugs in question to the Deputy Excise and Taxation Commissioner.
- (17) A licensed druggist may import, export or transport such quantity of medicinal hemp /cannabis/ and medicinal opium as may be specified in his licence.
- (b) (1) The Excise Commissioner shall in respect of each licence fix and shall record in the licence the maximum quantity of medicinal hemp /cannabis/ or medicinal opium which the licensee may possess at any one time for the purpose of vend or the manufacture of medicinal opium.
- (2) A licensed druggist may, subject to the conditions of his licence, sell medicinal hemp /cannabis/ or medicinal opium for medicinal purposes only and to the undermentioned persons:
- (i) a medical practitioner, who (i) is either known to the licensed druggist, or (ii) is introduced by someone known to the licensee, and either signs the register in person or sends a written or signed order stating his name, address and the name and quantity of the article required. In the latter case the licensee must satisfy himself as to the genuineness of the signature and qualification of the medical practitioner. If the drugs are transported by post these shall be sent by registered post. In case of real emergency the licensee may act on an oral message and send the drug, provided that the licensee is satisfied with the genuineness of the order and on the delivery he receives from the medical practitioner the signed order or an undertaking that the signed order will be furnished within twenty-four hours. If such signed order is not received within twenty-four hours, the licensee shall forthwith report full details of the transaction to an Excise Officer not below the rank of an Excise Sub-Inspector;
  - (ii) a druggist licensed under these rules or under any rules for the time being in force in any other State;
  - (iii) any other person authorized under these rules;
  - (iv) any person holding the prescription of a medical practitioner.

(3) All prescriptions for the dispensing of such drugs shall be written out in Form D.D.7 and the licensee shall be responsible that the prescriptions, on the authority of which such drugs are to be sold, are made out in that form.

(4) The licensee shall sell the drugs in such quantities and for the use of such persons only as may be specified in the prescription.

E. LICENSED CHEMISTS - D.D. 6 LICENSEES

1. (a) The Excise Commissioner or any other officer specially empowered by him in this behalf may, on the recommendation of the State Drug Controller, Punjab, grant to any person a chemist's licence in Form D.D.6 on payment of a fee of rupees twenty-five and subject to the following conditions:

Provided that no licence in Form D.D.6 shall be granted to a person who does not hold licences in Forms F. 20 and F. 21 of the Drugs Rules, 1945, made under the Drugs Act, 1940 (XXIII of 1940):

Provided further that, except with the special sanction of the Excise Commissioner, such a licence shall not authorize the chemist to possess a greater quantity than 4 ounces of opium alkaloidal derivatives or 4 ounces of opium alkaloidal derivatives or 4 ounces of coca derivatives:

- (1) The licensee shall be bound by the provisions of the Act and these rules and any other rules which may, from time to time, be made under the Act.
- (2) The licensee shall be responsible for the acts and omissions of every person employed by him in carrying on his business and of all his servants, as if the said acts and omissions were his own.
- (3) The licensee shall not permit any manufactured drug, which he is authorized to sell, to be dispensed or handled by any person other than a medical practitioner or a dispenser registered under the Pharmacy Act, 1948 (Act No. VII of 1948).
- (4) The licensee is authorized to sell the following drugs:
  - (i) Coca derivatives,
  - (ii) Morphine,
  - (iii) Diacetylmorphine /heroin/, and
  - (iv) all preparations containing more than 0.2 per cent of morphine or containing any diacetylmorphine /heroin/.
- (5) The licensee shall not sell or keep coca derivatives or opium alkaloidal derivatives, hereinafter called the "drugs", in greater quantities than specified in the licence or except on the premises described in the licence.
- (6) The licensee shall procure his supplies either from a licensed vendor in Punjab or by importation from a licensed vendor in some other State, after obtaining from the Deputy Excise and Taxation Commissioner concerned a permit in Form D.D.2. The importation of these drugs by post is absolutely prohibited.
- (7) The licensee is authorized to compound any preparation containing morphine, diacetylmorphine /heroin/ or cocaine from the materials which he is lawfully entitled to possess. He shall also enter in the prescription the name of a person, firm or body corporate dispensing the prescription, the address of the premises on which, and the date on which it is dispensed.

- (8) In the case of every sale, otherwise than on a prescription, the licensee shall obtain a pass in Form D.D.3 or D.D.4 to cover the export of the transport of the consignment to its destination.
- (9) The licensee shall maintain correct accounts of all transactions. Such accounts shall show, in respect of each receipt, the source of supply and the quantity received, and, in respect of each issue, the quantity issued, and the name and address of the person to whom it is issued. He shall file, in support of his accounts of receipts, the export or transport passes and, in respect of his account of issues, the original prescription on which they have been issued and in the case of issues made otherwise than on a prescription, receipts from the person to whom the issues were made. Such accounts and documents shall be preserved for not less than two years from the date of the last entry in the accounts.
- (10) (i) In the case of preparations containing cocaine, morphine or diacetylmorphine /heroin/, the bottles, phials, packages or other containers of these preparations or the labels affixed to them shall either plainly show the actual quantity of the drugs present in each container, or give sufficient particulars to admit of the ready calculation of such quantity.
  - (ii) A package or a bottle containing the drugs shall before sale be marked with the quantity of the drugs in the package or the bottle;
  - (iii) A preparation, admixture, extract or any other substance containing any of these drugs shall be sold only in a package or bottle plainly marked:
    - (a) in the case of a powder, solution or ointment, with the total quantity thereof in the package or bottle, and the percentage of the drugs in the powder, solution or ointment;
    - (b) in the case of tablets or other similar forms of preparation, with the quantity of the drugs in each tablet or other similar forms of preparation, and the number of tablets or other similar forms of preparation in the package or bottle.
- (11) All stocks of cocaine, morphine, or diacetylmorphine /heroin/ and preparations thereof, and all accounts and records of transactions under the licence shall be open to inspection by any officer of the Excise Department not below the rank of a Sub-Inspector, and any officer of the Drugs Control Department not below the rank of a Drugs Inspector.
- (12) The licensee shall on requisition by the Excise Commissioner or by any officer duly authorised by him in this behalf deliver up his licence for amendment or for the issue of a fresh licence.
- (13) The licensee shall on the first day of every quarter submit a correct quarterly statement, showing the quantity of the drugs received by him during the previous quarter, the quantity sold by him and the quantity remaining in his possession, to the Excise and Taxation Officer of the district concerned and the Drugs Inspector of the Drugs Control Department, Punjab.
- (14) If, on the expiry or cancellation of the licence, any stocks of the drugs remain in the possession of the licensee he shall at once surrender these stocks to the Deputy Excise and Taxation Commissioner. If any portion of these stocks is declared by the Civil Surgeon to be unfit for human consumption, the Deputy Excise and Taxation Commissioner shall forthwith cause that portion to be destroyed and the licensee shall not be entitled to claim any compensation for loss resulting from the destruction of such a portion of the drugs.

- (15) If any portion of the drugs is fit for human consumption, the Deputy Excise and Taxation Commissioner shall make over such portion of the drugs, in any quantity not exceeding that which the transferee is likely to sell within two months, to the incoming licensed vendor, who is taking the place of the previous licensee, if the latter has surrendered the drugs in question to the Deputy Excise and Taxation Commissioner or to any other licensed vendor of the district.
- (16) The licensee shall be bound to accept from the Deputy Excise and Taxation Commissioner any portion of the drugs, which, in the opinion of the Deputy Excise and Taxation Commissioner, does not amount to more than two months' supply, at such a price as may be determined by the Deputy Excise and Taxation Commissioner. This price shall be paid to the licensee who has surrendered the drugs in question to the Deputy Excise and Taxation Commissioner.
- (17) A licensed chemist may import, export or transport such quantity of opium alkaloidal derivatives (excluding prepared opium) and coca derivatives as may be specified in his licence.

(b)(i) The Excise Commissioner shall in respect of each such licence fix and record in the licence the maximum quantity of opium alkaloidal derivatives or coca derivatives which the licensee may possess at any one time for the purpose of vend as well as for the manufacture of preparations of morphine, diacetylmorphine /heroin/ and cocaine.

(ii) A licensed chemist may, subject to the conditions of his licence, sell opium alkaloidal derivatives or coca derivatives to:

- (1) a medical practitioner, who (a) is either known to the licensed chemist, or (b) is introduced by someone known to the licensee and either signs the register in person or sends a written or signed order stating his name, address and the name and quantity of the article required. In the latter case the licensee must satisfy himself as to the genuineness of the signature and qualification of the medical practitioner. If the drugs are transported by post these shall be sent by registered post. In case of real emergency the licensee may act on an oral message and send the drugs, provided that the licensee is satisfied with the genuineness of the order and on the delivery he receives from the medical practitioner the signed order or an undertaking that the signed order will be furnished within twenty-four hours. If such signed order is not received within twenty-four hours the licensee shall forthwith report full details of the transaction to an excise officer not below the rank of an Excise Sub-Inspector;
- (2) a chemist licensed under these rules or under the rules for the time being in force in any other State;
- (3) any other person authorized under these rules;
- (4) any person holding a prescription in Form D.D.7 subject to the following conditions, namely:-
  - (i) he shall sell the opium alkaloidal derivatives or coca derivatives in such quantity and for the use of such person only as may be specified in the prescription;
  - (ii) if the prescription does not bear a superscription by a medical practitioner stating that it is to be repeated and at what interval of time it is to be repeated, and how many times it is to be repeated, he shall sell the opium alkaloidal derivatives or coca derivatives once only on such a prescription and shall retain the prescription;

Provided that he shall first warn the person presenting the prescription that unless it bears such a superscription, as aforesaid, it shall be retained;

- (iii) if the prescription bears a superscription as aforesaid he shall enter in the prescription the date of sale and shall sign or seal the prescription:

Provided that if it appears that opium alkaloidal derivatives or coca derivatives have already been sold on the prescription six times or such a number of times as the prescription is required to be repeated, or that the interval specified in the prescription has not elapsed since the prescription was last dispensed, he shall not sell the morphia drugs or coca derivatives on such prescription unless it has further been superscribed by the medical practitioner;

- (iv) any other condition that may be prescribed in his licence.

F. GRANT, RENEWAL AND CANCELLATION OF LICENCES.

22. (1) Any officer empowered to grant a licence, permit or pass under any of these rules may in his discretion either grant the licence, permit or pass, as the case may be, applied for or by an order in writing refuse to grant such a licence, permit or pass.

(2) A person whose application for any licence, permit or pass has been refused shall not be entitled to be informed of the reasons upon which such refusal is based.

23. A licence shall remain in force from the date of issue till 31 March next following, on which date it shall expire unless renewed.

24. Every application for renewal of licence shall be submitted to the Excise and Taxation Officer of the district concerned at least two months before the commencement of the year for which it is required and shall be accompanied by a treasury challan showing payment of the fee prescribed for the grant of such a licence.

25. The officer empowered to grant a licence may renew the licence or on sufficient cause being shown refuse to renew it after giving him a reasonable opportunity of being heard.

26. (1) Any licence or permit granted under these rules may be revoked or suspended by the licensing authority if the holder or any person in his employ is found to have committed a breach of the conditions thereof or any of the provisions of these rules, or has been convicted of an offence under the Dangerous Drugs Act, 1930, the Opium Act, 1878, the Drugs Act, 1940, or under the law for the time being in force relating to excise, revenue or of any offence under the Indian Penal Code

Provided that such revocation or suspension shall not be made until the holder of the licence or permit has been given a reasonable opportunity of showing cause against the action proposed to be taken.

(2) Every such order shall be in writing and shall specify the reasons for the suspension or revocation and shall be communicated to the licensee.

27. (1) Every licence or permit granted under these rules shall be held to have been granted personally to the person named therein, and shall not be transferable.

(2) If any licensee or permit holder dies before or during the currency of his licence or permit his licence or permit shall forthwith determine :

Provided that the Excise Commissioner may in his discretion continue any such licence or permit in force in favour of the legal representative of the deceased licensee or permit holder.

28. Subject to the provisions of the Act and these rules, the Excise Commissioner may, from time to time, give such directions as he may think fit, for the purpose of carrying out the provisions of these rules.

G. APPEAL AND REVISION

29. (1) An appeal shall lie from an original or appellate order of an Excise Officer to :

(a) the Deputy Excise and Taxation Commissioner, when the order is made by an Excise Officer below the rank of Deputy Excise and Taxation Commissioner; and

(b) the Excise Commissioner when the order is made by a Deputy Excise and Taxation Commissioner.

(2) Every memorandum of appeal must be presented within one month from the date of the communication of the order appealed against.

(3) Every memorandum of appeal shall be accompanied by the order appealed against in original, or by certified copy of such an order, unless the omission to produce such an order or copy is explained to the satisfaction of the appellate authority. The time requisite for obtaining a certified copy of such order shall be excluded in computing the period of limitation.

30. The Excise Commissioner or a Deputy Excise and Taxation Commissioner may revise any order passed by any Excise Officer subordinate to him under these rules.

31. The Excise Commissioner may review his own order :

Provided that no such order shall be passed against any licensee or permit holder unless he has been given a reasonable opportunity of being heard.



FORM D.D.I.

Application for Permit to Import/Transport  
Manufactured Drugs other than prepared  
Opium in Punjab State

1. Name and address of applicant .....

2. The above names being :

(a) A licensed druggist in the .....District  
A licensed chemist

licensed to possess medicinal hemp [cannabis]  
medicinal opium  
coca derivatives  
opium alkaloidal derivatives

(b) A Government servant, that is to say ..... requiring the  
manufactured drugs, other than prepared opium, and requiring the same  
in his official capacity.

3. And having in hand manufactured drugs as follows :

- (1) Medicinal hemp [cannabis].....
- (2) Medicinal opium .....
- (3) Coca derivatives .....
- (4) Opium alkaloidal derivatives .....

4. Desires to import/transport by land from Messrs. ....  
licensed to sell such drugs at ..... in the ..... district or  
State of ..... manufactured drugs other than prepared opium as follows :-

- (1) Medicinal hemp [cannabis].....
- (2) Medicinal opium .....
- (3) Coca derivatives .....
- (4) Opium alkaloidal derivatives .....

The ..... 19 . Signed .....

Note. This application should be submitted to the Excise and Taxation Officer of the  
district in duplicate. The Excise and Taxation Officer after verifying paragraph  
2 and, if he thinks necessary, paragraph 3 also should sign the enforcement and  
forward both copies to the Deputy Excise and Taxation Commissioner. One of these  
shall be returned with the permit and shall be filed in the Excise and Taxation  
Officer's Office.

Excise and Taxation Office  
.....District

Memo No. .... Dated .....

The application above is submitted to the Deputy Excise and Taxation Commissioner  
..... Division for the grant of a permit.

Excise and Taxation Officer  
.....District

No. ....

Deputy Excise and Taxation Commissioner's  
Office, dated ..... 19 .

Permit No..... for the import/transport of manufactured drugs other than prepared  
opium, as detailed in the application above is forwarded herewith.

Deputy Excise and Taxation Commissioner,  
..... Division

FORM D.D.2

(Counterfoil)

(To be retained in the office of issue)

Permit and pass (on the reverse) for the import/permit for the transport of manufactured drugs other than prepared opium into Punjab State.

Before the drugs covered by the permit are exported from any State, the permit must be presented to the Collector of the district of export and the export pass on the reverse must be completed and signed by such officer.

Permit No. .... for the Transport of opium medicinal hemp /cannabis/ medicinal opium coca derivatives opium alkaloidal derivatives import

Permit granted to (a) ..... to transport by land from (b) import .....

into ..... opium medicinal hemp /cannabis/ medicinal opium coca derivatives opium alkaloidal derivatives

to the amount of ..... as specified below viz.,

Description of each class of drug	Weight of quantity			Remarks
	oz.	dr.	gr.	

The permit must be used within two months of the date of its issue. One copy of the permit and the pass on the reverse shall be delivered on

arrival of the consignment of opium medicinal hemp /cannabis/ medicinal opium coca derivatives opium alkaloidal derivatives

at its destination to .....

(c) .....

The bulk of the consignment shall not be broken in transit.

Dated ..... 19 . Deputy Excise and Taxation Commissioner  
..... Division

- (a) Here state the name and designation of the consignee.
- (b) Here state the locality and district.
- (c) Here state the official designation of the person to whom the pass is to be delivered.

FORM D.D.2

(Duplicate)

(To be given to the importer)

Permit and pass (on the reverse) for the import/permit for the transport of manufactured drugs other than prepared opium into Punjab State.

Before the drugs covered by the permit are exported from any State, the permit must be presented to the Collector of the district of export and the export pass on the reverse must be completed and signed by such officer.

Permit No....., for the transport of opium medicinal hemp [cannabis] import of medicinal opium coca derivatives opium alkaloidal derivatives

Permit granted to (a) .....

to transport by land from (b) import .....

into ..... opium medicinal hemp [cannabis] medicinal opium coca derivatives opium alkaloidal derivatives

to the amount of ..... as specified below viz.,

Description of each class of drug	Weight of quantity			Remarks
	Oz	Dr	Gr	

The permit must be used within two months of the date of its issue. One copy of the permit and pass on the reverse shall be delivered on arrival

of the consignment of opium medicinal hemp [cannabis] medicinal opium coca derivatives opium alkaloidal derivatives

at its destination to .....

(c) .....

The bulk of the consignment shall not be broken in transit.

Dated ..... 19 . Deputy Excise and Taxation Commissioner, ..... Division

- (a) Here state the name and designation of the consignee.
- (b) Here state the locality and district.
- (c) Here state the official designation of the person to whom the pass is to be delivered.

FORM D.D.2  
(Triplicate)

(To be sent to the Collector of the exporting district)

Permit and pass (on the reverse) for the import/permit for the transport of manufactured drugs other than prepared opium into Punjab State.

Before the drugs covered by the permit are exported from any State the permit must be presented to the Collector of the district of export and the export pass on the reverse must be completed and signed by such officer.

Permit No. \_\_\_\_\_ for the transport of opium  
import medicinal hemp /cannabis/  
medicinal opium  
coca derivatives  
opium alkaloidal derivatives

Permit granted to (a) \_\_\_\_\_  
to transport by land from (b) \_\_\_\_\_  
import

into \_\_\_\_\_ opium  
medicinal hemp /cannabis/  
medicinal opium  
coca derivatives  
opium alkaloidal derivatives  
to the amount of \_\_\_\_\_ as specified below viz.

Description of each class of drug	Weight of quantity			Remarks
	oz	dr	g	

The permit must be used within two months of the date of its issue. One copy of the permit and pass on the reverse shall be delivered on arrival

of the consignment of opium  
medicinal hemp /cannabis/  
medicinal opium  
coca derivatives  
opium alkaloidal derivatives  
at its destination to \_\_\_\_\_  
(c) \_\_\_\_\_

The bulk of the consignment shall not be broken in transit,  
Dated \_\_\_\_\_ 19 . Deputy Excise and Taxation  
Commissioner, \_\_\_\_\_ Division

- (a) Here state the name and designation of the consignee.
- (b) Here state the locality and district.
- (c) Here state the official designation of the person to whom the pass is to be delivered.

FORM D.D.2 (Reverse)  
(Counterfoil)

Pass for the export of

opium  
medicinal hemp /cannabis/  
medicinal opium  
coca derivatives  
opium alkaloidal derivatives

This pass is to remain in force \_\_\_\_\_

From (a) \_\_\_\_\_

to (a) \_\_\_\_\_

The opium  
medicinal hemp /cannabis/  
medicinal opium covered by  
coca derivatives  
opium alkaloidal derivatives

is/shall be conveyed by (b) \_\_\_\_\_

in charge of (c) \_\_\_\_\_

in (d) \_\_\_\_\_

Dated \_\_\_\_\_ 19 . \_\_\_\_\_ Collector of Customs

\_\_\_\_\_ Collector

\_\_\_\_\_ District

- (a) Here specify date and hour.
- (b) Here state route and mode of conveyance.
- (c) Here give name of person, if any.
- (d) Here state number and description of packages.

FORM D.D.2 (Reverse)  
(Duplicate)

Pass for the export of

opium  
medicinal hemp /cannabis/  
medicinal opium  
coca derivatives  
opium alkaloidal derivatives

This pass is to remain in force \_\_\_\_\_

From (a) \_\_\_\_\_

to (a) \_\_\_\_\_

The opium  
medicinal hemp /cannabis/  
medicinal opium covered by  
coca derivatives  
opium alkaloidal derivatives

is/shall be conveyed by (b) \_\_\_\_\_

in charge of (c) \_\_\_\_\_

in (d) \_\_\_\_\_

Dated \_\_\_\_\_ 19 . \_\_\_\_\_ Collector of Customs  
\_\_\_\_\_ Collector  
\_\_\_\_\_ District

- (a) Here specify date and hour.
- (b) Here state route and mode of conveyance.
- (c) Here give name of person, if any.
- (d) Here state number and description of packages.

FORM D.D.2 (Reverse)  
(Triplicate)

Pass for the export of

opium  
medicinal hemp /cannabis/  
medicinal opium  
coca derivatives  
opium alkaloidal derivatives

This pass is to remain in force \_\_\_\_\_

From (a) \_\_\_\_\_

to (a) \_\_\_\_\_

The opium  
medicinal hemp /cannabis/  
medicinal opium covered by  
coca derivatives  
opium alkaloidal derivatives

is/shall be conveyed by (b) \_\_\_\_\_

in charge of (c) \_\_\_\_\_

in (d) \_\_\_\_\_

Dated \_\_\_\_\_ 19 . \_\_\_\_\_ Collector of Customs  
\_\_\_\_\_ Collector  
\_\_\_\_\_ District

- (a) Here specify date and hour.
- (b) Here state route and mode of conveyance.
- (c) Here give name of person, if any.
- (d) Here state number and description of packages.

FORM D.D.3  
(Counterfoil)

(To be retained in the office of issue)

Pass for the export of manufactured drugs other than prepared opium

No. \_\_\_\_\_ Dated \_\_\_\_\_

Licensed druggist at \_\_\_\_\_

Licensed chemist

authorized to possess

medicinal hemp / cannabis /  
medicinal opium  
coca derivatives  
opium alkaloidal derivatives

up to \_\_\_\_\_ oz is hereby authorized to  
export \_\_\_\_\_ oz \_\_\_\_\_ dr \_\_\_\_\_  
g of \_\_\_\_\_ from his licensed premises  
at \_\_\_\_\_ to the licensed premises  
of \_\_\_\_\_  
at \_\_\_\_\_

This pass shall be carried with the consignment of the drugs, the export of  
which it is intended to cover, and is current until \_\_\_\_\_

One copy of this pass must be filed in the licensed premises.

(Signature and full official designation of the officer granting the pass)

\_\_\_\_\_

Omit in the case of export to a Government or State official.



FORM D.D.3  
(Duplicate)

(To be given to the exporter)

Pass for the export of manufactured drugs other than prepared opium

No. \_\_\_\_\_ Dated \_\_\_\_\_

Licensed druggist at \_\_\_\_\_

Licensed chemist

authorized to possess

medicinal hemp [cannabis]  
medicinal opium  
coca derivatives  
opium alkaloidal derivatives

up to \_\_\_\_\_ oz is hereby authorized to  
export \_\_\_\_\_ oz \_\_\_\_\_ dr \_\_\_\_\_  
g of \_\_\_\_\_ from his licensed premises  
at \_\_\_\_\_ to the licensed premises  
of \_\_\_\_\_  
at \_\_\_\_\_

This pass shall be carried with the consignment of the drugs, the export of which it is intended to cover, and is current until \_\_\_\_\_

One copy of this pass must be filed in the licensed premises.

(Signature and full official designation of the  
officer granting the pass)

\_\_\_\_\_  
Omit in the case of export to a Government or State official

FORM D.D.3  
(Triplicate)

(To be sent to the Collector of the district of destination)

Pass for the export of manufactured drugs other than prepared opium

No. \_\_\_\_\_ dated \_\_\_\_\_ 19 .

Licensed druggist at \_\_\_\_\_  
Licensed chemist

authorized to possess

medicinal hemp [cannabis]  
medicinal opium  
coca derivatives  
opium alkaloidal derivatives

up to \_\_\_\_\_ oz is hereby authorized to export \_\_\_\_\_  
\_\_\_\_\_ oz \_\_\_\_\_ dr \_\_\_\_\_  
g of \_\_\_\_\_ from his licensed premises at \_\_\_\_\_  
\_\_\_\_\_ to the licensed premises of \_\_\_\_\_  
\_\_\_\_\_ at \_\_\_\_\_

This pass shall be carried with the consignment of the drugs, the export of which it is intended to cover, and is current until \_\_\_\_\_

One copy of this pass must be filed in the licensed premises.

(Signature and full official designation of the officer granting the pass)

\_\_\_\_\_  
Omit in the case of export to a Government or State official.

FORM D.D.3  
(Duplicate)

(To be given to the exporter)

Pass for the export of manufactured drugs other than prepared opium

No. \_\_\_\_\_ Dated \_\_\_\_\_

Licensed druggist at \_\_\_\_\_

Licensed chemist

authorized to possess

medicinal hemp [cannabis]  
medicinal opium  
coca derivatives  
opium alkaloidal derivatives

up to \_\_\_\_\_ oz is hereby authorized to

export \_\_\_\_\_ oz \_\_\_\_\_ dr \_\_\_\_\_

g of \_\_\_\_\_ from his licensed premises

at \_\_\_\_\_ to the licensed premises

of \_\_\_\_\_

at \_\_\_\_\_

This pass shall be carried with the consignment of the drugs, the export of which it is intended to cover, and is current until \_\_\_\_\_

One copy of this pass must be filed in the licensed premises.

(Signature and full official designation of the  
officer granting the pass)

\_\_\_\_\_

Omit in the case of export to a Government or State official

FORM D.D.3  
(Triplicate)

(To be sent to the Collector of the district of destination)

Pass for the export of manufactured drugs other than prepared opium

No. \_\_\_\_\_ dated \_\_\_\_\_ 19 .

Licensed druggist at \_\_\_\_\_  
Licensed chemist

authorized to possess

medicinal hemp [cannabis]  
medicinal opium  
coca derivatives  
opium alkaloidal derivatives

up to \_\_\_\_\_ oz is hereby authorized to export \_\_\_\_\_  
\_\_\_\_\_ oz \_\_\_\_\_ dr \_\_\_\_\_  
g of \_\_\_\_\_ from his licensed premises at \_\_\_\_\_  
\_\_\_\_\_ to the licensed premises of \_\_\_\_\_  
\_\_\_\_\_ at \_\_\_\_\_

This pass shall be carried with the consignment of the drugs, the export of which  
it is intended to cover, and is current until \_\_\_\_\_

One copy of this pass must be filed in the licensed premises.

(Signature and full official designation of the  
officer granting the pass)

\_\_\_\_\_  
Omit in the case of export to a Government or State official.

FORM D.D.4  
(Counterfoil)

(To be retained in the office of issue)

Pass for the transport of manufactured drugs other than prepared opium

No. \_\_\_\_\_ Dated \_\_\_\_\_ 19 .

Licensed druggist at \_\_\_\_\_  
Licensed chemist

authorized to possess

medicinal hemp [cannabis]  
medicinal opium  
coca derivatives  
opium alkaloidal derivatives

up to \_\_\_\_\_ is hereby authorized to transport \_\_\_\_\_  
\_\_\_\_\_ oz \_\_\_\_\_ dr \_\_\_\_\_  
\_\_\_\_\_ g of \_\_\_\_\_ from his  
licensed premises at \_\_\_\_\_ to the licensed premises  
of \_\_\_\_\_ at \_\_\_\_\_

One copy of this pass shall be carried with the consignment of the drugs, the transport of which it is intended to cover. It is current until \_\_\_\_\_

One copy of this pass must be filed in the licensed premises.

(Signature and full official designation of the officer granting the pass)

FORM D.D.4  
(Duplicate)

(To be given to the transporter)

Pass for the transport of manufactured drugs other than prepared opium

No. \_\_\_\_\_ Dated \_\_\_\_\_ 19 .

Licensed druggist at \_\_\_\_\_ authorized to  
Licensed chemist

possess

medicinal hemp /cannabis/  
medicinal opium  
coca derivatives  
opium alkaloidal derivatives

up to \_\_\_\_\_ is hereby

authorized to transport \_\_\_\_\_ oz

\_\_\_\_\_ dr \_\_\_\_\_ g of \_\_\_\_\_

from his licensed premises at \_\_\_\_\_

to the licensed premises of \_\_\_\_\_

at \_\_\_\_\_

One copy of this pass shall be carried with the consignment of the drugs,  
the transport of which it is intended to cover. It is current until  
\_\_\_\_\_

One copy of this pass must be filed in the licensed premises.

(Signature and full official designation of the  
officer granting the pass)

FORM D.D.4  
(Triplicate)

(To be sent to the Excise and Taxation Officer of the district of destination)

Pass for the transport of manufactured drugs other than prepared opium

No. \_\_\_\_\_ Dated \_\_\_\_\_ 19 .

Licensed druggist  
Licensed chemist at \_\_\_\_\_ authorized to

possess medicinal hemp [cannabis]  
medicinal opium  
coca derivatives  
opium alkaloidal derivatives

up to \_\_\_\_\_ is hereby  
authorized to transport \_\_\_\_\_ oz  
\_\_\_\_\_ dr \_\_\_\_\_ g of \_\_\_\_\_  
from his licensed premises at \_\_\_\_\_  
to the licensed premises of \_\_\_\_\_  
at \_\_\_\_\_

One copy of this pass shall be carried with the consignment of the drugs,  
the transport of which it is intended to cover. It is current until  
\_\_\_\_\_

One copy of this pass must be filed in the licensed premises.

(Signature and full official designation of the  
officer granting the pass)

FORM D.D.5

Druggist's Licence

Licence for the sale by licensed druggists of medicinal hemp [cannabis]  
medicinal opium

granted on payment of a fee of (Rs 10) ten rupees

District .....

No. of licence .....

Name and description of licensee .....

.....

Locality of vend premises .....

The person named above, and hereinafter called the licensee, is hereby authorized by the Excise Commissioner to possess and sell medicinal hemp [cannabis] and medicinal opium, hereinafter referred to as "the drugs", from the date of this licence to 31 March ....., subject to the following conditions:

- (1) The licensee shall be bound by the provisions of the Dangerous Drugs Act II of 1930, and the Punjab Manufactured Drugs Rules, 1959, and any other rules which may from time to time be prescribed under the said Act.
- (2) The licensee shall be responsible for the acts and omissions of every person employed by him in carrying on his business, and of all his servants, as if the said acts and omissions were his own.
- (3) The licensee shall not permit any drug, which he is authorized to sell, to be dispensed or handled by any person other than a medical practitioner or a dispenser registered with the Pharmacy Act, 1948 (Act No. VII of 1948).
- (4) The licensee is authorized to sell the following drugs for medicinal purposes only:
  - (a) medicinal hemp [cannabis];
  - (b) medicinal opium;
  - (c) preparations containing medicinal hemp [cannabis] or medicinal opium.
- (5) The licensee shall not at any time have in his possession the drugs in greater quantities than the following and keep the same in any place except in the premises described above.

Medicinal hemp [cannabis].....  
 Tincture of opium .....

Extract of opium .....

Wine of opium .....

Liquid extract of opium .....



Liniment of opium .....  
Confection of opium .....  
Compoundaed opium powder .....  
Amount to be entered here by the Collector .....

(One ounce equals 437.5 grains avoirdupois.)

- (6) The licensee shall obtain the drugs either from a licensed vendor in Punjab or by importation from a licensed vendor in some other State, after obtaining from the Deputy Excise and Taxation Commissioner the necessary permit in Form D.D.2. The importation of his supplies by post is absolutely prohibited.
- (7) The licensee is authorized to manufacture medicinal opium and to compound any preparation containing medicinal hemp [cannabis] or medicinal opium from the materials which he is lawfully entitled to possess.
- (8) The licensee shall maintain correct accounts of all transactions. Such accounts shall show, in respect of each receipt, the source of supply and the quantity received, and, in respect of issues, the quantity issued each day. Such accounts shall be preserved for not less than two years from the date of the last entry in the accounts and should be signed by any excise officer who inspects the licensed premises.
- (9) Any package or bottle containing the drugs shall before sale be marked with the quantity of the drugs in the package or bottle.
- (10) A preparation, admixture, extract or other substance containing the drugs shall be sold only in a package or a bottle plainly marked.
  - (1) in the case of a powder, solution or ointment with the total quantity thereof in the package or bottle, and the percentage of the drugs in the powder, solution or ointment;
  - (2) in the case of tablets or other articles with the quantity of the drugs in each article and the number of articles in the package or the bottle.
- (11) All stocks of the drugs and all accounts and records of transactions under this licence shall be open to inspection by any officer of the Excise Department not below the rank of a Sub-Inspector and any officer of the Drugs Control Department not below the rank of a Drugs Inspector.
- (12) The licensee shall, on requisition by the Excise Commissioner or by any officer duly authorized by him in this behalf, deliver up his licence for amendment or for the issue of a fresh licence.
- (13) The licensee shall on the first day of every quarter submit a correct quarterly statement showing the quantity of the drugs received by him during the quarter, the quantity sold by him and the quantity remaining in his possession to the Excise and Taxation Officer of the district concerned and the Drugs Inspector of the Drugs Control Department, Punjab.

- (14) If on the expiry or cancellation of this licence any stocks of opium, medicinal hemp [cannabis] or medicinal opium remain in the possession of the licensee, he shall at once surrender these stocks to the Deputy Excise and Taxation Commissioner. If any portion of these stocks is declared by the Civil Surgeon to be unfit for human consumption, the Deputy Excise and Taxation Commissioner shall forthwith cause that portion to be destroyed and the licensee shall not be entitled to claim any compensation for loss resulting from the destruction of such a portion of the drugs.
- (15) If any portion of drugs is fit for human consumption the Deputy Excise and Taxation Commissioner shall make over such opium, medicinal hemp [cannabis] or medicinal opium, in any quantity not exceeding that which the transferee is likely to sell within two months, to the incoming licensed vendor who is taking the place of the previous licensee, if the latter has surrendered the drugs in question to the Deputy Excise and Taxation Commissioner or to any other licensed vendor of the district.
- (16) The licensee shall be bound to accept from the Deputy Excise and Taxation Commissioner any portion of the drugs, which in the opinion of the Deputy Excise and Taxation Commissioner does not amount to more than two months' supply, at such a price as shall be determined by the Deputy Excise and Taxation Commissioner. This price shall be paid to the previous licensee, if he has surrendered the drugs in question to the Deputy Excise and Taxation Commissioner.

Schedule showing the boundaries of the premises

1. Street and house number or other particulars .....

2. Bounded on the

North

East

South

West

Excise and Taxation Commissioner  
Punjab

Place .....

Dated .....

Note: One copy of this licence shall be given to the licensee and one copy retained by the Deputy Excise and Taxation Commissioner.

FORM D.D.6

Chemist's Licence granted on payment of a fee of Rs 25

Licence for the sale by licensed chemists of -

- (a) coca derivatives,
- (b) morphine,
- (c) diacetylmorphine (heroin)
- (d) all preparations containing more than 0.2 per cent of morphia or containing diacetylmorphine heroin but not for the sale of medicinal or prepared opium.

District .....

No. of licence .....

Name and description of licensee .....

Locality of vend premises .....

The person named above, and hereinafter called the licensee, is hereby authorized by the Excise Commissioner to possess and sell:

- (a) coca derivatives,
- (b) morphine,
- (c) diacetylmorphine (heroin)
- (d) all preparations containing more than 0.2 per cent of morphia or containing diacetylmorphine heroin.

hereinafter referred to as "the drugs", from the date of this licence to 31 March, 19 subject to the following conditions:

- (1) The licensee shall be bound by the provisions of the Dangerous Drugs Act, 1930 (Act II of 1930), the Punjab Manufactured Drugs Rules, 1959, and any other rules which may from time to time be made under the said Act.
- (2) The licensee shall be responsible for the acts and omissions of every person employed by him in carrying on his business, and of all his servants, as if the said acts and omissions were his own.
- (3) The licensee shall not permit any drug, which he is authorized to sell, to be dispensed or handled by any person other than a medical practitioner or a dispenser registered under the Pharmacy Act, 1948 (VII of 1948).
- (4) The licensee is authorized to sell the following drugs:
  - (a) coca derivatives,
  - (b) morphine,

- (c) diacetylmorphine heroin,
- (d) all preparations containing more than 0.2 per cent morphia or containing diacetylmorphine heroin to the under-mentioned persons referred to in rule 19 of the Punjab Manufactured Drugs Rules, 1959, in such quantities as they are entitled to possess the drugs:
  - (a) a medical practitioner,
  - (b) a licensed chemist licensed under these rules or under any rules for the time being in force in any State;
  - (c) any person authorized under rule 21 of the Punjab Manufactured Drugs Rules, 1959, or any other corresponding rules for the time being as aforesaid;
  - (d) any person holding the prescription of a medical practitioner:

Provided that the drugs shall not be delivered to any person not licensed or otherwise authorized to be in possession of the drugs, who purports to be sent by or on behalf of a person so licensed, or so authorized, unless such a person produces an authority in writing, signed by the person so licensed, or so authorized, to receive the drugs on his behalf, and unless the licensee is satisfied that the authority is genuine.

- (5) The licensee shall not sell or keep the drugs in any place except on the premises described above.
- (6) The licensee shall not at any time have in his possession the drugs in greater quantities than the following:
  - (a) coca derivatives .....
  - (b) morphine .....
  - (c) diacetylmorphine heroin.....
  - (d) all preparations containing more than 0.2 per cent of morphia or containing diacetylmorphine heroin. .....

(Amount to be entered here by the Excise Commissioner. One ounce equals 437.5 grains avoirdupois.)

- (7) The licensee shall obtain his supplies of the drugs either by direct importation from another State or from another licensed vendor in Punjab, after obtaining from the Deputy Excise and Taxation Commissioner the necessary permit in Form D.D.2. The importation of the drugs by post is absolutely prohibited.
- (8) The licensee is authorized to compound any preparation containing morphine, diacetylmorphine heroin or cocaine from the materials which he is lawfully entitled to possess.
- (9) The name of person, firm or body corporate dispensing the prescriptions, the address of the premises on which, and the date on which it is dispensed must be entered in the prescription.
- (10) All prescriptions for the dispensing of such drugs shall be written out in Form D.D.7 and the licensee shall be responsible that the prescriptions, on the authority of which such drugs are to be sold, are made out in this form, as required by rule 1(6) of the Punjab Manufactured Drugs Rules, 1959.

- (11) (i) The licensee shall sell the drugs in such quantities and for the use of such persons only as may be specified in the prescription.

(ii) If the prescription does not bear a superscription by any medical practitioner stating that it is to be repeated, and at what interval of time it is to be repeated, and how many times it is to be repeated, he shall sell the drugs once only on such a prescription and shall retain the prescription:

Provided that he shall first warn the person presenting the prescription, that, unless it bears the requisite superscription, it will be retained.

(iii) If the prescription bears the requisite superscription he shall enter in the prescription the date of sale, and shall sign and seal the prescription, giving particulars as laid down in condition 9:

Provided that, if it appears that the drugs have already been sold on the prescription six times, or such number of times as the prescription is required to be repeated, or that the interval specified in the prescription has not elapsed since the prescription was last dispensed, he shall not sell the drugs on such a prescription, unless it has further been superscribed by the medical practitioner.

- (12) In the case of every sale, otherwise than on a prescription, the licensee shall obtain a pass in Form D.D.3 or D.D.4 to cover the export or the transport of the consignment to its destination.

- (13) The licensee shall maintain correct accounts of all transactions. Such accounts shall show, in respect of each receipt, the source of supply and the quantity received and, in respect of each issue, the quantity issued and the name and address of the person to whom it is issued. He shall file, in support of his accounts of receipts, the export or transport passes and, in respect of his account of issues, the original prescription on which they have been made up, and, in the case of issue made otherwise than on a prescription, receipts from the person to whom the issues were made. Such accounts and documents shall be preserved for not less than two years from the date of the last entry in the accounts.

- (14) (a) In the case of preparations containing cocaine, morphine or diacetylmorphine heroin, the bottles, phials, packages, or other containers of these preparations, or the labels affixed to them, shall either plainly show the actual quantity of the drugs present in each container, or give sufficient particulars to admit of the ready calculation of such quantity.

(b) A package or bottle containing the drugs shall before sale be marked with the quantity of the drugs in the package or bottle.

(c) A preparation, admixture, extract or any other substance containing any of these drugs shall be sold only in a package or bottle plainly marked:

(i) in the case of a powder, solution or ointment with the total quantity thereof in the package or bottle, and the percentage of the drugs in the powder, solution or ointment;

(ii) in the case of tablets or other similar forms of preparation, with the quantity of the drugs in each tablet or other similar forms of preparation, and the number of tablets or other similar forms of preparation in the package or bottle.

- (15) All stocks of cocaine, morphine or diacetylmorphine [heroin] and preparations thereof, and all accounts and records of transactions under the licence shall be open to inspection by any officer of the Excise Department not below the rank of a Sub-Inspector and any officer of the Drugs Control Department not below the rank of a Drugs Inspector.
- (16) The licensee shall on requisition by the Excise Commissioner or by any officer duly authorized by him in this behalf deliver up his licence for amendment or for the issue of a fresh licence.
- (17) The licensee shall on the first day of every quarter submit a correct quarterly statement showing the quantity of drugs received by him during the previous quarter, the quantity sold by him and the quantity remaining in his possession, to the Excise and Taxation Officer of the district concerned and the Drugs Inspector of the Drugs Control Department, Punjab.
- (18) If, on the expiry of cancellation of this licence any stocks of the drugs remain in the possession of the licensee, he shall at once surrender the stocks to the Deputy Excise and Taxation Commissioner. If any portion of these stocks is declared by the Civil Surgeon to be unfit for human consumption the Deputy Excise and Taxation Commissioner shall forthwith cause that portion to be destroyed and the licensee shall not be entitled to claim any compensation for loss resulting from the destruction of such portion of the drugs.
- (19) If any portion of the drugs is fit for human consumption the Deputy Excise and Taxation Commissioner shall make over such portion of the drugs, in any quantity not exceeding that which the transferee is likely to sell within two months, to the incoming licensed vendor, who is taking the place of the previous licensee, if the latter has surrendered the drugs in question to the Deputy Excise and Taxation Commissioner or to any other licensed vendor of the district.
- (20) The licensee shall be bound to accept from the Deputy Excise and Taxation Commissioner any portion of the drugs, which, in the opinion of the Deputy Excise and Taxation Commissioner, does not amount to more than two months' supply, at such a price as may be determined by the Deputy Excise and Taxation Commissioner. This price shall be paid to the licensee who has surrendered the drugs in question to the Deputy Excise and Taxation Commissioner.

Schedule showing the boundaries of the premises

- 1. Street and house number or other particulars.
- 2. Bounded on the

North  
 East  
 South  
 West

Excise and Taxation Commissioner  
Punjab

Place .....

Dated .....

Note: One copy of this licence shall be given to the licensee and one copy retained by the Deputy Excise and Taxation Commissioner.

FORM D.D.7

Official form of prescription to be used when preparation of medicinal hemp /cannabis/ or opium, cocaine, morphine or diacetylmorphine /heroin/ are prescribed

Not to be repeated

\*To be repeated at intervals of \_\_\_\_\_ days.

1. Name and description of the person to whom the prescription is issued.
2. Description of drug to be supplied.
3. Amount of drug to be supplied:

\_\_\_\_\_  
Full name, qualification and signature of the medical practitioner

Address \_\_\_\_\_

Date \_\_\_\_\_

Name of the person (or firm) who )  
dispenses the prescription. ) \_\_\_\_\_

Address of premises \_\_\_\_\_

Date \_\_\_\_\_

\*Cross out one of the two alternatives. On the authority of this prescription the drug must not be supplied to the holder of this prescription more than 6 times.

FORM D.D.7-A

Form of the register to be maintained by a medical practitioner permitted to possess manufactured drugs under the Manufactured Drugs Rules

Date and month	Name and address of the licensee from whom the drug was purchased	Amount purchased	Amount of drug administered	Name and address of the patient	Balance	Remarks
1	2	3	4	5	6	7

N.B. For each class of drug separate page shall be allotted.

FORM D.D.7-B

(To be maintained by the Excise and Taxation Officer of the district)

Register showing particulars of medical practitioner, registered with the Excise and Taxation Officer of \_\_\_\_\_ district for the possession of manufactured drugs other than prepared opium for use in his practice and not for sale.

Registration No. allotted to the medical practitioner by the Excise and Taxation Department	Name, address and other particulars of the medical practitioner	Medical registration number	Name of the Bazar/Street/ Mohalla in which shop is located	Name of the village/town/ city in which shop is located	Name of Tehsil	Remarks
1	2	3	4	5	6	7

FORM D-D.7-C

Certified that

- (1) Shri \_\_\_\_\_
- (2) Son of \_\_\_\_\_
- (3) Locality \_\_\_\_\_
- (4) Medical registration No. \_\_\_\_\_ has been registered in this district in accordance with the provisions of the Punjab Manufactured Drugs Rules, 1959, and his registration No. is \_\_\_\_\_ in the district register prescribed in Form D.D.7-B.

Excise and Taxation Officer  
District \_\_\_\_\_

SEAL

N.B. This certificate shall, on demand by an Excise Officer, be produced by the medical practitioner, for his inspection.