



## LAWS AND REGULATIONS

PROMULGATED TO GIVE EFFECT TO THE PROVISIONS OF THE CONVENTION OF 13 JULY 1931 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 1931 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.

E/NL.1954/84

#### GOVERNMENT OF KUTCH

No. HR 142/52

The Secretariat  
Bhuj, dated the 11th March 1953.

#### NOTIFICATION\*

In exercise of the powers vested in him under subsection (3) of section 3 of the United Provinces Opium Smoking Act, 1934, as extended to Kutch the Chief Commissioner is pleased to fix 15th July 1953 as the date on which the register of opium smokers shall be closed.

By order,  
K. V. Bhatt.,  
Secretary to the Chief  
Commissioner for Kutch.

\* Note by the Secretariat: Kutch Government Gazette. Extraordinary. 1 April 1953. Vol. 80. No. 1.

E/NL.1954/85

#### GOVERNMENT OF KUTCH

No. HR-142/52

The Secretariat,  
Bhuj, dated the 11th March 1953.

#### NOTIFICATION\*

In exercise of the powers vested in him under section 10 of the United Provinces Opium Smoking Act, 1934, as extended to Kutch the Chief Commissioner proposes to make the following rules which will be taken up for final consideration on or after 16th April 1953:-

1. These Rules shall be called the Kutch Opium Smoking Rules, 1953.
2. In these rules unless there is anything repugnant in the subject or context
  - (a) the "Act" means the United Provinces Opium Smoking Act, 1934 (Act III of 1934), as extended to Kutch.

\* Note by the Secretariat: Kutch Government Gazette. Extraordinary. 1 April 1953. Vol. 80. No. 1.

(b) an "authorised agent" means a person who has been authorised in writing to represent an "opium smoker",

(c) "tola" means a weight of 180 grains.

3. (a) An application for the registration of an opium smoker shall be made either by the opium smoker himself or by his authorised agent:

Provided that where an application is submitted by an authorised agent the officer receiving the application must be satisfied as to the identity of the applicant and the genuineness of his signature or thumb-impression or identification mark.

(b) An application for registration shall be submitted in form A appended to these rules and shall contain all the particulars provided in the form; forms may be obtained free of cost from the Collector's office.

(c) An application for registration shall be submitted to such officer as the Collector may determine.

4. (a) A register of opium smokers in form B appended to these rules shall be prepared and maintained in accordance with the directions of the Collector.

(b) Every entry and every correction of an entry in the register shall be signed by such officer as the Collector may authorise in this behalf.

(c) Relevant extracts from the register will be sent to the excise Inspectors of the circles in which registered smokers concerned reside.

5. The register mentioned in section 3(3) of the Act shall be closed on 15th July 1953, and no fresh entry shall be made therein after such date without the previous sanction of the Collector.

6. No registered smoker shall manufacture or possess prepared opium at any one time in excess of 1/2 a tola in weight.

7. The Collector shall supply each registered opium smoker with a permit in form C appended to these rules free of charge.

For subsequent copies of such permit a fee of Re.1/- shall be charged for each copy.

8. If a registered opium smoker intends to change his place of residence permanently, he shall before leaving the district report the change to the Collector stating the date from which and the district in which he intends to take up his residence.

9. If a registered opium smoker changes his residence permanently, he shall within 30 days of

the date of such change produce his permit before the Collector of the district in which he has taken up his residence.

10. If any registered opium smoker fails to comply with any of the conditions set forth in these rules, his permit will, in the absence of a satisfactory explanation be liable to cancellation by the Collector and/or to suspension for such period as he may decide.

11. Any prepared opium or any instrument or apparatus in respect of, or by means of, which an offence under the Act has been committed or any receptacle, package or covering in which such prepared opium, instrument or apparatus was found and any other contents or receptacle, package or covering shall, on confiscation under section 24 of the Act, be destroyed by the Court after the period of appeal has expired or, if any appeal has been made, until the appeal has been decided:

Provided that if the thing be of a perishable nature it may be disposed of immediately.

All other articles so confiscated shall be disposed of by the Collector by public auction and the sale-proceeds shall be credited to departmental fines and forfeitures.

12. The powers of the Collector under these rules may be delegated by him to any gazetted officer of the district with the previous sanction of the Chief Commissioner.

**FORM A**

See Rule 3(b)

Application for registration under the United Provinces Opium Smoking Act of 1934.

1. Name in full, religion, nationality, occupation.
2. Age on the date of application.
3. Evidence of age, if any.
4. Identification marks or photograph of the applicant.
5. Father's name also, husband's name in case of females.
6. Permanent address.
- \*7. Name, occupation and address of the authorised agent, if any.
- \*8. Signature of the authorised agent.
- \*9. Signature of person identifying the applicant and the genuineness of his signature or thumb-impression.
10. Date of application.

Signature of the applicant or his thumb-impression

NOTE: Item 7, 8, 9 marked with asterisk (\*) are to be filled only when the application is made by an authorised agent but not otherwise. In such cases the agent's written authority should be attached to the application together with the Collector's order permitting the agent to submit the application.

**FORM B**

See rule 4(a)

District.

Register of opium smokers.

1. Serial No.
2. Name in full, caste or community, occupation and religion.
3. Age.
4. Father's name.  
Husband's name.

5. Permanent address.

6. Identification marks, or thumb-impression or photograph.

Signature of collector

Statement of changes of residence.

District.	Address	New serial number in the district, if any.	Initials of Collector.
1.			
2.			
3.			
4.			
5.			

Result of verifications of addresses.

Date of inspection.

Name of inspecting officer

**FORM C**

(See rule 7)

**PERMIT**

1. Serial number in the register of smokers.
2. Name of the registered smoker, his religion, nationality and occupation.
3. Age.
4. Father's name, in case of woman, also husband's name.
5. Permanent address.
6. Identification marks or photograph.

Collector.

Subsequent changes of address.

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

Subject to the orders of the Collector, this permit shall remain in force so long as the holder of this permit performs and abides by the following conditions:

Conditions:

1. The holder shall manufacture "prepared opium" only from excise opium lawfully possessed.
2. The holder shall not manufacture or possess more than 1/2 a tola of prepared opium at any one time.
3. The holder shall not sell or attempt to sell prepared opium or assist any person, whether any registered smoker or not, in the manufacture of prepared opium.
4. The holder shall not open, keep or use any place or permit any place to be used for the purpose of enabling two or more persons whether registered or not, to meet together to smoke prepared opium or shall not remain in charge or manage or in any way assist in conducting the business of any place used or kept for the said purpose.
5. The holder shall not assemble in any place with any other person whether registered or not, for the purpose of smoking prepared opium.
6. If the holder intends to change his place of residence permanently, he shall before leaving the

district report the change to the Collector of the district in which he is registered stating the date from which and the district in which he intends to take up his residence.

7. If the holder has changed his residence permanently he shall produce his permit before the Collector of the district in which he has taken up his new residence, within 30 days of such change.

8. The holder shall produce his permit for inspection by any excise officer not below the rank of an excise inspector or a revenue officer not below rank of an Aval Karkun.

N.B. - Infraction of any of the above conditions by the holder of this permit will subject the holder of the permit to forfeiture of the permit and to all or any of the penalties prescribed by law.

Collector.

By order,  
K. V. Bhatt  
Secretary to the Chief  
Commissioner for Kutch.

GOVERNMENT OF KUTCH

No. HR - 142/52

The Secretariate,  
Bhuj, 1st May 1953.

NOTIFICATION

The Chief Commissioner has been pleased to confirm the Kutch Opium Smoking Rules, 1953, as prescribed under Notification No. HR - 142/52 dated the 11th March 1953.

By order,  
ad/- K. V. Bhatt  
Secretary to the Chief  
Commissioner for Kutch.