



UNITED NATIONS

E/NL. 1957/141 - 142

19 March 1958

Original: ENGLISH

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.

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GOVERNMENT OF RAJASTHAN

Published on page 277 of Rajasthan Rajpatra
Vol. 4, dated 16th November, 1956.

NOTIFICATION

Jaipur November 16, 1956

No.F,14(84)EAT/56-8 - In exercise of the powers conferred by section 5 of the Opium Act, 1878 (Central Act I of 1878) and in supersession of existing rules on the subject in force in the Ajmer area, the Abu area, the Sunel area and the area of the pre-Reorganisation State of Rajasthan the State Government hereby makes the following rules to regulate the possession, transport, import, export and sale of opium in Rajasthan namely :-

1. Possession of opium - (1) any person may, without a license or permit have in his possession at any time, opium to the extent of two tolas in quantity.
 - (2) A person engaged in medical, Ayurvedic, Unani, Tibbi or veterinary practice and approved by the Excise Commissioner, Rajasthan, may, without a license or permit, have in his possession at any one time for use in the exercise of his profession opium to the extent of five tolas in quantity.
 - (3) Nothing in the foregoing sub-rules shall apply:-
 - (i) to the possession of opium in quantities exceeding the limits specified therein under and in accordance with a permit granted by the Assistant Excise Commissioner, or,
 - (ii) to a person coming from a State in India outside Rajasthan for a short and temporary stay therein who may bring with him opium lawfully obtained from that State up to a limit of half a tola for his own private consumption.
 - (4) A licensed opium vendor may subject to the conditions of his license, possess any quantity of opium purchased by him or under his authority from the State Government or with the written consent of the Excise Commissioner from any other licensed vendor.
2. Transport of Opium - (1) No opium exceeding the quantity prescribed for private possession by rule 1, shall be transported :-
 - (1) by a licensed opium vendor subject to the conditions of a license, except under a pass by the warehouse-in-charge and,

(ii) by any other person except under a pass issued by an Assistant Commissioner having jurisdiction in the place where such opium is purchased.

(2) Every pass issued under sub-rule (1) shall accompany the consignment and shall be retained at the place to which the consignment is taken.

3. Import of Opium - Save as provided in Clause (ii) of sub-rule (3) of rule 1, no person shall import opium except for and under the authority of the State Government.

4. Export of Opium - The export of opium is prohibited except on behalf of the State Government or with the special permission of the Excise Commissioner.

5. Sale of Opium - (1) No person shall sell opium :-

(i) except under and in accordance with the terms and conditions of a valid and subsisting license granted by the Excise Commissioner in the prescribed form for the prescribed period on payment of a prescribed fee;

(ii) Elsewhere than on the premises specified from time to time in such license;

(iii) Otherwise than in accordance with the provision of rule 1 and,

(iv) Unless all duties and fees for the time being leviable in respect of such opium have been duly paid.

(2) Nothing in sub-rule (1) shall apply to the sale of opium for medicinal purposes by a practitioner referred to in sub-rule (2) of rule 1 in the course of dispensing medicines or giving treatment to his patients.

6. Exemptions - (1) Servants of the State Government when acting on behalf of the State Government are exempted from provisions of these rules.

(2) Such hospitals, Aushadhalayas, Dawakhana, dispensaries, veterinary hospitals and dispensaries and other institutions as the Excise Commissioner may authorise are exempted from the provisions of rule 1 and 5 in so far as opium is kept and sold therein for purely medicinal purposes and in medicines.

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GOVERNMENT OF RAJASTHAN
EXCISE AND TAXATION DEPARTMENT

NOTIFICATION

Dated, Jaipur, the 15 February 1957

No.F.49(8)SR/53. - In exercise of the powers conferred by section 13 of the Rajasthan Excise Act 1950 (Rajasthan Act II of 1950)^{1/} the Government of Rajasthan is hereby pleased:-

- (1) to prohibit the import into, export out of, or transport within Rajasthan of Charas;^{2/}
- (2) to prohibit the import into Rajasthan of Ganja^{3/} and Bhang^{3/} except:
 - (a) when brought by a passenger as his personal possession in a quantity not exceeding the limit of possession of the substance concerned prescribed by section 19 of the aforesaid Act read with subsection (1) of section 5 thereof; or
 - (b) on behalf of the Government of Rajasthan;and
- (3) to prohibit the export out of Rajasthan of all intoxicating drugs as defined by subsection (14) of section 3 of the aforesaid Act, except on behalf of the Government of Rajasthan or except by a bona fide passenger as part of his personal luggage in a quantity not exceeding the limit of possession of the drug concerned under the aforesaid Act.

By Order of the Governor,

Sd/-

Secretary to Government.

1/ Note by the Secretariat: The sections of the Act which are referred to in this text will be published as soon as they are received.

2/ Note by the Secretariat: A preparation of Cannabis resin.

3/ Note by the Secretariat: This word designates certain dried parts of the Cannabis plant.