

Punjab Hemp Cultivation and Bhang Permit and Pass Rules, 1955

PUNJAB

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Rule

PUNJAB-HEMP-CULTIVATION-AND-BHANG-PERMIT-AND-PASS-RULES of 1955

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Punjab Hemp Cultivation and Bhang Permit and Pass Rules, 1955Published vide Punjab Notification No. 194-OSD(R) dated 23rd November 1955. Re-published vide Punjab Government Notification No. G.S.R. 248/P.A.I/14/Sections.34 and 59/62, dated 19th October, 1962Revenue Department Excise and Taxation[19th October, 1962]No. G.S.R. 248/P.A.I/14/Sections 34 and 59/62. - The following Rules as amended upto the 31st August, 1962, are republished below for general information :-

1.

The expression "Import" in the rules shall mean inter-State import and the expression "export" shall mean inter-State export.

2.

In these rules unless a contrary intention appears from the subjects or context:-"Special licence" means a granted free of duty under the rules hereinafter following.

3.

The Collector concerned may grant a special licence in form H. 17 for the cultivation of hemp plant to the Manager or head for the time being of a temple, Dharamsala or similar religious institution in connection with which such cultivation has hitherto been usual, in the following Districts:- (1) - (4)

Omitted] [Hissar, Rohtak, Gurgaon, omitted vide Punjab Government Gazette Legislative Supplement Part III dated 7.1.69.].(5)Ludhiana.(6)Ferozepore.(7)Amritsar.

4.

A special licence shall be granted subject to the following conditions:-(a)That applicant for the special licence is the head or Manger for the time being of a temple, Dharamsala or similar religious institution in connection with which such cultivation;(b)That the land on which the applicant proposes to cultivate the hemp plant is attached to or belong to the temple, Dharamsala or other religious institution of which he is head or the manager;(c)That such cultivation shall be limited to an area of land, sufficient to grow enough of the hemp plant, for the purpose specified in the condition next following; and such area shall not in any case, without the sanction of the Financial Commissioner exceed [0.10 Hectares (one quarter of an acre)] [Substituted vide Punjab Excise and Taxation Commissioner's Notification No. 2-X.S.III, dated the 21st February/5th May, 1962.];(d)The intoxicating drugs produced or prepared from the hemp plant so cultivated shall not be used for any purpose other than for consumption by the licensee and the members of his house-hold, and the attendants of, or visitor to, the temple Dharamsala or other similar institution of which he is the heard or Manager;(e)That neither the hemp plant so cultivated, nor any intoxicating drug produced or prepared therefrom, or any portion thereof, shall be bartered or sold.

5.

Subject to the provisions of these rules, the Collector may in his discretion, by order in writing either grant or refuse to grant, any application made for a special licence.

6.

(1)A special licence granted under these rules shall continues in force until either-(a)the holder becomes insane or dies;(b)the holder relinquishes charge, or is removed from the charge of the temple Dharamsala or similar religious institution in respect of which it was granted: or(c)it is revoked by the Collector.(2)The Collector may at any time revoke any special license for any breach of its condition or any other sufficient reason.

7. Export of Bhang.

- Any person licensed to sell Bhang by wholesale in Punjab wishing to export Bhang to any person licensed to sell Bhang in any other state Union Territory may apply in form H. 22 to the Collector concerned for an export-in-bond pass in form H.23. The application form H.22 shall be accompanied by a permit from the competent authority of the state of Union Territory of destination authorising the removal of Bhang from Punjab into such state or Union Territory.

8.

The Collector may in his discretion by order in writing either refuse the application or grant an export-in-bond pass in form H.23.

9. Transport of Bhang.

- Any licensed vender of Bhang in Punjab wishing to transport Bhang to any other District in Punjab apply in form H.22 to the Collector concerned for a transport pass and the Collector may after levying the duty payable grant a transport pass in form H.24. The application in form H.22 shall be accompanied by a permit in form H.24.

10.

Every export and transport pass granted shall prescribe a route to be followed by the consignment covered by the pass, and shall be issued subject to the following conditions:-(a)The packages of Bhang covered by the pass shall not be opened nor shall bulk be broken, during the transit.(b)The packages of Bhang shall be taken direct to the office of destination, named in the pass or if such office be named then to the headquarter's office of the District of destination (if any) named in the pass and shall there be handed over alongwith the copy of the pass in possession of the exporter or transporter to the Officer-in-charge of such office.(c)In case of export-in-bond the licensed vender exporting Bhang to any other State or Union Territory shall produce to the Collector or other authorised officer issuing the passes in form H.23 within a [period of sixty days] [Substituted for 'reasonable time' by Punjab Government Notification No. GSR 72/PA1/14/Section 34 and 59/Amd dated 13.8.1984.], a certificate from the authorised officer of the State of destination, who issued the permit, that the packages of Bhang covered by the export-in-bond pass in form H.23 have reached the destination in full and checked thereby that officer. Failing this the licensed vender in Punjab shall be liable to be charged duty on the quantity of Bhang thus exported by him, at the rate prevalent in Punjab under the orders of the Financial Commissioner.Form H.17

Special license for
cultivation of Bhang
at Religious Institutions

District	Tehsil		Village		
Name religious institution	Name of licensee	Area of Cultivation covered by the license	Khasra number of such area	Period for which license is in force	Remarks
1	2	3	4	5	6

The license is granted subjected to conditions prescribed under the Punjab Excise Act and the special conditions given below:-Special Conditions(a)That the applicant for the special license is the heard or manager for the time being of a temple, Dharamsala or similar religious institution.(b)That the land on which the applicant proposes to cultivate the hemp plant is attached to or belongs to the

temple Dharamsala or other religious institution of which he is the head or the manager.(c)That such cultivation shall be limited to an area of land, sufficient to grow enough of the hemp plant, for the purposes specified in the condition next following; and such area shall not, in any case, without the sanction of the Financial Commissioner, exceed 0.10 Hectares (one quarter of an acre).(d)That intoxicating drugs produced or prepared from the hemp plant so cultivated shall not be used for any purpose other than for consumption by the licensee and the members of his household, and the attendants of, or visitor to, the temple, Dharamsala or other similar institution of which he is the head or manager.(e)That neither the hemp plant so cultivated, nor any intoxicating drug produced or prepared therefrom, or any portion thereof shall be bartered or sold. Date of grant of licence
Signature of officer granting licence
Form H.21

Permit to transport Bhang within Punjab

1. Serial No. of permit

2. Date

3. Name and description of applicant

4. Place from which Bhang will be transported and the route which will be taken

5. Probable weight of Bhang to be transported

6. Name of office (which will invariably be the office of officer who issued this permit) to which Bhang shall be brought on transport for payment of duty leviable thereon.

7. Period for which this permit will be in force.

Collector

_____ District

Permit to transport Bhang within Punjab

1. Serial No of permit

2. Date

3. Name and description of applicant

4. Place from which Bhang will be transported and the route which will be taken

5. Probable weight of Bhang to be transported.

6. Name of office (which will invariably be the office of the officer who issued this permit) to which Bhang shall be brought on transport for payment of duty leviable thereon.

7. Period for which this permit will be in force

Collector

_____ District

Form H. 22 Application Form of application for a transport pass authorising removal of Bhang within Punjab for an export or export-in-bond pass authorising removal of Bhang from Punjab to any other State or Union Territory. To the Collector ----- Whereas I, ----- wish to remove the Bhang specified below from the District of ----- to the vend premises of ----- licensed to sell Bhang in ----- as proved by the permit accompanying this application, I request that the Bhang may be weighed so that I may receive a transport pass (or export-in-bond pass) to cover the transport export of the Bhang from this District to its destination:-

Name of applicant	Name of place at which application is licensed to sell and description of licence	Number and date of permit granted from place of description which accompanies the application	Weight of Bhang and number of package
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Date of application

Signature of applicant

Form H.23 Pass authorising the export or export-in-bond of Bhang from Punjab to any other State or Union Territory.

- 1. Serial No.**
- 2. Date and number of permit.**
- 3. Name and locality of the District to which the Bhang is to be exported or exported-in-bond.**
- 4. Name of wholesale vender from whose premises the Bhang is being exported.**
- 5. Distinguishing mark and serial number of each package, and net weight of each package.**
- 6. Name of person to be in charge of the consignment during transit.**
- 7. Route and means of conveyance by which the Bhang will be exported.**
- 8. Office to which the Bhang is to be taken for weighment and examination on reaching the District of destination.**
- 9. Date of issue of pass.**
- 10. Date of expiry of pass.**

Signature and official designation of the officer issuing the passNote:- To be printed in triplicate. One part shall be retained by the office of issue, one part shall be given to the exporter, and one part shall be sent to the office named in the pass to which Bhang is to be taken on reaching the District of destination. Form H. 24Transport pass authorising removal of Bhang from a District in Punjab to the premises of a person licensed to sell Bhang , wholesale or retail, in Punjab.

- 1. Serial No.**
- 2. Date and number of the permit granted by the District to which the Bhang is to be removed and official designation of the Officer whose signature is on the permit.**
- 3. Name of licensed vendor to whose vend premises the Bhang is to be removed and the District in which he is licensed to sell.**

- 4. Number of packages of the Bhang when weighed, and weight of each.**
- 5. Amount of transport duty paid on weighment and date of payment.**
- 6. Name of the person to be in charge of the consignment during transit.**
- 7. Rout to be taken by the consignment during transit**
- 8. Office to which the Bhang is to be taken for weighment and examination on reaching the District of destination.**
- 9. Date of issue of pass.**
- 10. Date of expiry of pass.**

Signature and official designation of the officer issuing the passNote:- To be printed in triplicate. One part shall be retained by the office of issue, one part shall be given to the transporter, and one part shall be sent to the office named in the pass to which the Bhang is to be taken on reaching the District of destination.