

# The U.P. Narcotic Drugs Rules, 1986

UTTAR PRADESH

India

## The U.P. Narcotic Drugs Rules, 1986

### Rule THE-U-P-NARCOTIC-DRUGS-RULES-1986 of 1986

- Published on 8 October 1986
- Commenced on 8 October 1986
- [This is the version of this document from 8 October 1986.]
- [Note: The original publication document is not available and this content could not be verified.]

The U.P. Narcotic Drugs Rules, 1986 Published vide U.P. Gazette, Extraordinary, vide Notification No. 3555-E-2/13-23/85, dated 8th October 1986

## Chapter I Preliminary

### 1. Short title, extent and commencement.

(1) These rules may be called the Uttar Pradesh Narcotic Drugs Rules, 1986. (2) They shall extend to the whole of Uttar Pradesh. (3) They shall come into force with effect from the date of their publication in the Gazette.

### 2. Definitions.

- In these rules, unless there is anything repugnant in the subject or context, - (i) "Act" means the Narcotic Drugs and Psychotropic Substances Act, 1985 (Act No. 61 of 1985); (ii) "approved practitioner" means - (a) a medical practitioner registered under any law for the time being in force in India, or (b) a medical officer of the Military, Naval or Air Force Service on the active list, or (c) a dentist registered under any law for the time being in force in India, or (d) a veterinary surgeon registered under any law for the time being in force in India. (iii) "Collector" means the Chief Officer-in-charge of the revenue administration of a district and includes any other officer empowered by the Government to perform all or any of the functions of the Collector under these rules; (iv) "District Excise Officer" means any person, other than the Collector, appointed by the Government under clause (b) of sub-section (2) of Section 10 of the U. P. Excise Act, 1910 (U. P. Act 4 of 1910) or an officer to whom the Collector has delegated his powers under clause (h) of the said sub-section (2) of Section 10; (v) "Excise Commissioner" means the officer appointed by the State Government under clause (a) of sub-section (2) of Section 10 of the U. P. Excise Act, 1910 (U. P. Act

No. 4 of 1910) and includes any other officer specially authorised by the State Government to exercise throughout the State of any specified area therein or of any of the powers of the Excise Commissioner under these rules;(vi)"export" means to take out of Uttar Pradesh to any other State or Union Territory in India;(vii)"form" means form appended to these rules;(viii)"Gazetted Officer of the Excise Department" means any officer of the State Excise Department not below the rank of a Superintendent of Excise;(ix)"Government" means the Government of Uttar Pradesh;(x)"Import" means to bring into the State of Uttar Pradesh from any other State or Union Territory in India;(xi)"Licenced chemist" means a person who has obtained a licence in Form NDLD under these rules for possession and sale of narcotic drugs to public on prescription of to approved practitioners;(xii)"Licensed Dealer" means a person who has obtained a licence in Form NDLD under these rules -(a)for the manufacture of medicinal opium or any preparation containing opium morphine and Codeine and their salts and such other manufactured drugs notified under sub-clause (b) of clause (xi) of Section 2 of the Act from the materials which he is lawfully entitled to possess, and(b)for the possession and the sale otherwise than no prescription, such as manufactured drugs as referred to in (a) above.(xiii)"Medical Board" means the medical board constituted at each divisional headquarters or any other place by the Government under these rules;(xiv)"Prescription" means written prescription given by an approved practitioner for the supply of any narcotic drugs other than prepared opium in accordance with these rules;(xv)"Proprietary Medicine" shall have the same meaning as assigned to it in the Drugs and Cosmetics Act, 1940 (Act No. 23 of 1940);(xvi)"State" means the State of Uttar Pradesh;(xvii)"Transport" means to take from one place to another within the State.

## **Chapter II**

### **Manufacture**

#### **3. Prohibition of manufactured drugs.**

- No person shall engage in the production or manufacture of manufactured drug except in accordance with the conditions of licence granted under these rules.

#### **4. Manufacture of manufactured drug under licence.**

- A licensed dealer may subject to the conditions of his licence manufacture any manufactured drug.

## **Chapter III**

### **Possession and Sale**

#### **5. Sale by licensed chemist/approved practitioner.**

- No licensed chemist or approved practitioner shall dispose manufactured drugs except on prescription and in accordance with the conditions of his licence.

## **6. Possession by an individual.**

- No person shall possess any manufactured drug except in such quantity as has been, at one time, dispensed or sold for his use in accordance with the provisions of Rule 5 or of corresponding rules for the time being in force in any part of India; the import wherefrom into, or, export whereto from the State of Uttar Pradesh is permitted.

## **7. Possession by an approved practitioner.**

(1) No approved practitioner shall for the purpose of sale, possess any quantity or any manufactured drugs; provided that such practitioner may for use in his practice, possess, manufacture drugs to the extent of ten grams in the form of medicines or injection : Provided further that the Collector may by special order, authorise any such practitioner to possess a larger quantity of such drugs. (2) No approved practitioner shall for the purpose of sale, possess any quantity of cocaine derivatives : Provided that such practitioner may, under special permit granted in this behalf by the Collector in such form as may be prescribed by the Excise Commissioner possess for use in his practice any manufactured drug containing such quantity of cocaine in the aggregate, as may be authorised in this behalf.

## **8. Possession of manufactured drugs by hospitals etc.**

(1) An approved practitioner-in-charge of a Hospital, Dispensary, Nursing Home, or medical institution run by the Government (including Railways) or by a local body or other bodies may possess manufactured drugs for use in such Hospital, Dispensary, Nursing Home or medical institution to the extent sanctioned by the Collector. (2) An operator of an Air Craft landing at any place in Uttar Pradesh may possess manufactured drugs to the extent of 20 ampoules of 15 milligrams morphine injections.

## **9. Account to be maintained by approved practitioner.**

- An approved practitioner possessing manufactured drugs under these rules shall-(a) keep accounts of manufactured drugs received, used and held in stock by him from time to time in register in Form A' under these rules. The accounts shall be clearly and correctly written up daily in bound books, pagged and marked with the seal of the Collector, or an officer authorised by him in this behalf and shall show in each case of purchase, the date of purchase and the name and the address of the person or firm from whom the purchase was made; (b) preserve the said accounts for not less than two years from the date of the last entry in the account book and shall produce them, together with any manufactured drugs that may be in his possession at the time of inspection on demand by the Collector or any other officer duly authorised by him in this behalf; and (c) furnish to the Collector or any other officer duly authorised by him in this behalf, within a week after the end of each calendar year, information regarding the purchase and consumption of manufactured drugs during the preceding year, the stocks of manufactured drugs, held by him on the last day of the year in the form prescribed by the Collector for the purpose.

## **10. Possession by licence.**

- No licensed dealer in manufactured drugs or licensed chemist shall possess manufactured drugs, except in such quantity and in such manner as may be specified in his licence.

## **11. Sale by licensed dealer.**

(1) A licensed dealer in manufactured drugs may sell, otherwise than on prescription, manufactured drugs subject to the conditions of his licence. (2) He shall maintain written record of every sale made by him. The record shall be maintained in the form and manner, if any, laid down in his licence. If no such form and manner is laid down, then in the manner the Excise Commissioner may from time to time direct. Such record shall be preserved for not less than two years from the date of the last entry therein.

## **12. Sale by licensed chemist.**

- No licensed chemist shall sell manufactured drugs otherwise than on prescription and subject to the conditions of his licence.

## **13. Sale of Government agency.**

- Notwithstanding anything contained in these rules the holder of a licence shall, whenever required so to do, sell any manufactured drug to Government or an Officer who is duly authorised by the Government in this behalf. The holder of the licence shall obtain a receipt from such officer and keep in his record.

## **14. Conditions relating to prescription.**

- No prescription for the supply of manufactured drugs (other than prepared opium) shall be given by an approved practitioner otherwise than in accordance with the following conditions : (a) the prescription shall be in writing, shall be dated and signed by the approved practitioner with his full name and address and his registration number and shall specify the name and address of the person to whom, and nature of ailment for which the prescription is given, the directions for use and the total amount of the drug to be supplied on the prescription provided that where the medicine to be supplied on the prescription is a proprietary medicine, it shall be sufficient to state the amount of medicine to be supplied. When a dose in excess of the usual dosage of any such manufactured drug is prescribed the amount of the dose shall be emphasised by being underlined and the initials of the practitioner set in the margin opposite; (b) the prescription shall not be given for the use of the prescriber himself; (c) a registered dentist shall give a prescription only for the purpose of dental treatment and shall mark it "for local dental treatment only"; and (d) a registered veterinary surgeon shall give a prescription only for the purpose of treatment of animals and shall mark it for "animal treatment only".

## **Chapter IV**

### **Accounts**

#### **15. Maintenance of accounts.**

- In addition to the accounts and record required to be maintained under these rules, the Excise Commissioner may by order direct the maintenance of such records in such form and submission of such returns as he may consider necessary for the purpose of these rules.

## **Chapter V**

### **Authorisations, Licences and Permits**

#### **16. Possession for scientific purposes.**

- The Collector may, with the sanction of the Excise Commissioner by special order, authorise any person incharge of an educational institution or engaged in scientific research to possess and transport, for educational and scientific purposes only, manufactured drugs in quantity and in such manner as may be specified by him in that order.

#### **17. Manufacturer's and chemist's licence.**

(1)A dealer's licence shall be granted by the Excise Commissioner on payment of a licence fee of Rs. 200 per annum in Form NDLD appended to these rules permitting him to manufacture and/or possess and sell manufactured drugs subject to the provisions of these rules and to the conditions of the licence. A licence in Form NDLD for the manufacture of manufactured drug shall only be granted to the persons holding a licence in Form L-1 or L-2 under the Medicinal and Toilet Preparations (Excise Duties) Act, 1955 and the rule made thereunder.(2)A chemist's licence shall be granted by the Collector on payment of a licence fee of Rs. 100 per annum in Form NDLC appended to these rules permitting him to possess and sell manufactured drugs subject to the provisions of these rules and the conditions of the licence.

#### **18. Transport by a licensed dealer under a permit.**

(1)The Collector may grant to any licensed dealer or licensed chemist a permit in Form NDT appended to these rules for the transport of manufactured drugs as specified in the permit.(2)While granting a permit under sub-rule (1) the Collector shall prepare the permit in quadruplicate. He shall give the first copy of the permit to the licensed dealer or chemist, send the second copy to the Collector of the district from which transport is to be made, third copy to the dealer from whom the purchases are to be made and keep the fourth copy of the permit for record.

## **19. Cancellation or suspension of a licence or permit.**

(1)The officer who has granted a licence or permit or has by order approved or authorised the doing of an act under these rules may after giving such person an opportunity to show cause why such an order should not be passed, by an order in writing stating the reasons therefor, cancel such licence, permit or order or suspend it for such period as he thinks fit either wholly or in part, if in his opinion, such person has-(a)failed to pay duty or fee payable by him under any law for the time being in force, or(b)by himself or by any servant or person acting on his behalf committed any breach of conditions of such licence, permit or order, or(c)been convicted of any offence under the Act or under any law for the time being in force relating to excise, revenue or prohibition or of any criminal offence.(2)The officer who has granted a licence or permit under these rules shall cancel such licence, or permit within fifteen days of the receipt of a notice from such person that he desires to surrender the same.(3)When such licence, or permit or order is cancelled or such person shall forthwith hand over to the Collector all manufactured drugs in his possession.(4)When any manufactured drug in possession of any person licensed or authorised under these rules is found by him to be unfit for use such person shall forthwith deliver up such drug to the Collector for destruction.

## **Chapter VI**

### **Poppy Straw**

## **20. Disposal of poppy straw by cultivator.**

- Every cultivator licensed to cultivate opium poppy for the production of opium, under the Narcotic Drugs and Psychotropic Substances Rules, 1985 shall after each harvesting of opium, dispose of subject to the conditions of licence the poppy straw obtained from such cultivation, in the following manner :(1)The cultivator shall declare the entire stock of poppy straw in his possession alongwith the manner in which it is intended to be disposed of to the Collector of the district within a fortnight of the completion of each harvesting of opium and in case, later than 15th July of the same year and shall obtain orders for its disposal.(2)He shall not keep with him such poppy straw in any year beyond the 31st of July of the same year.(3)He may dispose of such poppy straw before the expiry of the aforesaid date by-(a)selling the same to a licensed dealer within the State or in another State;(b)warehousing;(c)export the same for warehousing;(d)exporting the same out of India;(e)using the same as manure in his field; or(f)destroying the same by burning :Provided that the destruction or use as manure shall be one after prior intimation to the Collector of the district and in presence of an Officer not below the rank of an Excise Inspector.

## **21. Warehousing of poppy straw.**

(1)The Collector of the district may declare any place to be warehoused wherein it shall be the duty of the owner to deposit all such poppy straw as is the produce of his cultivation. The order declaring a place to be a warehouse shall specify the arrangement for safe custody of such poppy straw warehouse and the conditions for the removal of the same for sale.(2)Cultivator of opium may

warehouse poppy straw in any place after getting the same approved as warehouse by the Collector.(3)The fee for warehousing poppy straw shall be Rs. 100 per warehouse per annum per person. In default of payment of fee, the Collector may dispose of the poppy straw warehoused in the manner laid down in Rule 20 (iii) (a), (b), (c), (d) and (f).

## **22. Restriction on purchase, sale, possession etc.**

- Subject to the provisions of these rules, no person shall purchase, possess, sell, transport, ware-house, import or export poppy straw except under a licence or permit issued by the Collector.

## **23. Dealer's licence for poppy straw.**

- The Collector may grant to a dealer licence in Form No. NDPS-I for purchase; or warehousing of poppy straw on payment of a licence fee of Rs. 100 per annum. The licensee may sell poppy straw to any other dealer holding licence in Form No. NDPS-I or to persons holding requisite permit from the Collector or scientific, medical or research purposes.

## **24. Application for dealer's licence.**

- For a dealer's licence in Form NDPS-I any person may apply to the Collector stating in his application his name, full address, complete description of his business .premises along with address thereof and the details of payment of licence fee. No licence shall be granted to any unregistered firm or company. After such enquiry as he may deem necessary, the Collector may grant or refuse to grant such a licence. In the case of refusal of a licence the Collector shall record reasons for doing so.

## **25. Duration of dealer's licence.**

- The licence in Form NDPS-I shall be granted for the period ending 31st day of March next following the date of granting thereof.

## **26. Permit for poppy straw.**

- For obtaining poppy straw for scientific or medical purpose any person may apply to the Collector with full details of the quantity required and the purpose for which the poppy straw is needed. The Collector, after such enquiries, as he considers necessary, may issue a permit in Form No. NDPS-2 on payment of a permit fee of Rs. 10.00. The permit holder shall obtain the poppy straw mentioned in his permit from the licensee holding licence Form No. NDPS-I.

## **27. Exception.**

- Nothing in the foregoing rules shall apply to the purchase, possession or sale of poppy straw' on Government Account.Transport of Poppy Straw

## **28. Transport by licensed cultivator.**

- A licensed cultivator of poppy may transport poppy straw, which are the produce of his cultivation, from his place of cultivation to his residence, from higher place to the warehouse within the district for sale to a licensed dealer or to a person holding transport or export pass granted under these rules.

## **29. Transport under a pass.**

(1) A dealer holding a licence in Form No. NDPS-I or a person holding a permit in Form No. NDPS-2 or a person holding licence in Form L-I or L-2 granted under the medical and Toilet Preparations (Excise Duties) Act, 1955 and the rules framed thereunder may apply to the Collector or the District Excise Officers, for a transport pass in Form No. NDPS-3 and after obtaining the same may transport poppy straw purchased by him from a licensed cultivator or from a person holding licence in Form No. NDPS-1 to the extent specified in the pass. (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 in being satisfied, he may grant the applicant a pass in Form No. NDPS-3 in quadruplicate. The first copy of the pass shall be forwarded to the Excise Inspector of the place from where transport is to be made, the second copy shall be sent to the Excise Inspector of the destination, the third copy shall be handed over to the applicant for accompanying the consignment and the fourth copy shall be retained by him for record. (3) On arrival of the consignment at the 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 where the Excise Inspector of the circle fails to verify the consignment within 2 days of the notice of its arrival, the consignee may open it himself. (4) The consignee shall after verification of the consignment, make necessary entries on the reverse of the copy of the pass received by him alongwith the consignment and return it to the officer granting the transport pass. (5) The Excise Inspector of the circle from where the supply 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 officer granting the pass. Similar action will be taken by the Excise Inspector at the destination of the consignment.

## **30. Transport on Government Account.**

- Poppy straw may be imported by the Government on their own account.

## **31. Prohibition of transport.**

- Save as provided in the foregoing rules, the transport of poppy straw is prohibited. Import of Poppy Straw



### **32. Import by the Government.**

- Poppy straw may be imported by the Government in their own account.

### **33. Import by licensed dealer or permit.**

(1) A dealer holding a licence in Form NDPS-1 or a person holding a permit in Form NDPS-2 and desiring to import poppy straw from any other State or Union Territory in India shall make an application to the Collector for an import pass in Form No. NDPS-1. The application shall be accompanied by a 'no objection certificate' from the Collector of the district from where poppy straw is to be imported and after obtaining the same may import poppy straw 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 inquiry to be made as he may deem necessary and if he is satisfied that there is no objection, he shall, grant a pass in Form No. NDPS-1. The pass shall be issued in quadruplicate. The first copy of the pass shall be handed over to the applicant to accompany the consignment, the second copy shall be forwarded to the Collector of the district of export, the third copy shall be sent to the Excise Inspector of the circle of import and the fourth copy shall be retained for record. (3) Sub-rules (3) to (5) of Rule 9 shall mutatis mutandis apply to verification of consignments of poppy straw imported from outside the State. Export of Poppy Straw

### **34. Export by the Government.**

- The Government may export poppy straw on their own account.

### **35. Export by licensed dealer or cultivator.**

(1) A licensed dealer holding licence in Form NDPS-1 or a licensed cultivator of opium poppy desiring to export poppy straw to any State or Union Territory in India, shall make an application to the Collector for an export pass in Form No. NDPS-5 enclosing with the application an Export pass or a 'no objection certificate' from the Collector of the district or any other officer authorised in this behalf to which such poppy straw is to be exported and after obtaining the export pass in Form NDPS-5 may export poppy straw 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 the grant of pass applied for he may grant the applicant an export pass in Form No. NDPS-5. The pass shall be issued in quadruplicate. The first copy of the pass shall be handed over to the applicant to accompany the consignment, the second copy shall be forwarded to the Excise Inspector of the circle of export, the third copy shall be sent to the Collector of the district and the fourth copy shall be retained for record. (3) The Excise Inspector of the circle of export shall after necessary verification, make an entry on the reverse of the pass sent to him in respect of the quantity actually exported and return the same to the officer granting the pass. (4) The consignee shall make necessary entries on reverse of the copy of the pass received by him regarding the details of the consignment and return the same through the officer granting import pass or the 'no objection certificate' to the granting the

export pass. If the export pass in Form NDPS-5 is not received back duly verified within two months, export of further consignment by the person concerned shall not be allowed.

### **36. Prohibition of Export.**

- Save as provided in the foregoing rules the export of poppy straw outside the State is prohibited. Miscellaneous

### **37. Packing and Sealing of Consignment.**

- Every consignment of poppy straw, 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.

### **38. Transport by rail.**

(1) No person shall carry or offer for carriage any consignment containing poppy-straw by rail unless such consignment is covered or accompanied by a requisite pass. (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.

### **39. Transmission by post.**

- Transmission by post of poppy-straw by person holding licence in Form NDPS-1 or NDPS-2 or in Form L-1 and L-2 granted under the Medicinal and Toilet Preparation (Excise Duties) Rules, 1956 may be 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. (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 date of the pass covering the transmission and such other particulars as may from time to time be required by the Excise Commissioner.

### **40. Renewal of licence.**

- 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 grant of such licence.

### **41. No claim for renewal of 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 or in consequence of refusal to renew a licence on the expiry of its term.

## **42. Maintenance of accounts.**

- Person holding licence in Form NDPS-1 shall maintain daily account of receipts and sales of poppy straw in Form No. NDPS-6.

## **43. Surrender of licence.**

- A licensee holding a licence in Form No. NDPS-1 may surrender his licence on the expiry of thirty days from the date of the notice given by him in writing to the Collector his intention to surrender the same.

## **44. Disposal of stock on expiry or surrender of licence.**

- Any person holding a licence in Form No. NDPS-1 granted under these rules or a licence in Form L-1 or L-2 granted under the Medicinal and Toilet Preparations (Excise Duties) Rules, 1956, shall with the permission of the Collector, dispose of within two weeks any poppy straw left in his possession after the expiry of surrender of his licence in the manner laid down in Rule 20 (iii) (a), (b), (c), (d) and (f).

# **Chapter VII**

## **Import, Export and Transport of Manufactured Drugs**

### **45. Prohibition.**

- No person shall import, export or transport any manufactured drug except in such quantity as he may lawfully possess under these rules.

### **46. Import or transport by approved practitioner.**

- No approved practitioner shall import or transport any manufactured drug except such drugs as may be specified and in such quantities as he may be lawfully allowed to possess.

### **47. Import under special or general order.**

- Any person authorised in this behalf by the Excise Commissioner by a special or general order made under these rules may import manufactured drugs in such quantity and in such manner as may be specified in that order.

### **48. Import authorisation.**

(1) Any person, or any licensed dealer, or any licensed chemist or any approved practitioner desiring to import manufactured drug from any State or Union Territory in India may apply to the Excise

Commissioner for an import authorisation stating in his application the name and address of the exporter, the details of quantity of the manufactured drugs to be imported and the reasons for such import.(2)On receipt of an application under sub-rule (1), the Excise Commissioner may cause such enquiry to be made as he may deem necessary and on being satisfied that there is no objection to the grant of the import authorisation applied for, he may grant the applicant an import authorisation.

#### **49. Compliance of the export rules of Exporting State.**

- Nothing in these rules shall be deemed to permit the import of manufactured drugs from any part of India outside the State unless the rules for the time being in force in such part of India relating to the export of such drugs have been complied with.

#### **50. Export by licensed dealer.**

- A licensed dealer may, subject to the conditions of his licence, export manufactured drugs to any part of India outside the State subject to the terms of an import authorisation granted under the rules for the time being in force in such part of India and countersigned by the Excise Commissioner as required by these rules.

#### **51. Export to Hospitals.**

- An indent for manufactured drugs countersigned by the Chief Medical Officer or Civil Surgeon or Superintendent of the Civil Veterinary Department of the importing State shall for the purpose of this rule, be deemed to be an authorisation and shall not require further countersignature.

#### **52. Export by any person.**

- Any person authorised in this behalf by the Excise Commissioner by special or general order made under these rules may export manufactured drug in such quantity and in such manner as may be specified in that order.

#### **53. Procedure of export.**

(1)Any licensed dealer desiring to export manufactured drugs to any State or Union Territory in India, may apply to the Excise Commissioner for an export authorisation enclosing with the application an import authorisation or a "no objection certificate" of the State to which the manufactured drugs are to be exported.(2)On receipt of an application under sub-rule (1), the Excise Commissioner may cause such enquiry to be made as he deem necessary and on being satisfied that there is no objection to the grant of the export authorisation applied for, he may grant the applicant an export authorisation.(3)On receipt of the Excise Authorisation, the Collector shall issue export pass in Form NDE appended to these rules in quadruplicate. One copy of the pass shall be handed over to the applicant to accompany his consignment, the second copy shall be forwarded to the Excise Inspector of the circle of export, the third copy shall be sent to the Collector of the district of

import and the fourth copy shall be retained for record.(4)The Excise Inspector of the circle 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 Collector granting the pass.(5)The consignee shall make necessary entries on reverse of the copy of the pass received by him alongwith the consignment and return the same through the officer granting the import authorisation to the Collector granting the Export Pass. If the export pass in Form NDE is not received back duly verified within two months, export of further consignment by the person concerned shall not be allowed.

#### **54. Transport under permit or authorisation.**

- A person to whom an authorisation has been granted by the Collector for the transport of manufactured drug may transport the drugs in such quantity and in such manner as may be specified in the authorisation granted to him.

#### **55. Restriction on import, export or transport by post.**

- Except as provided in these rules, no one shall import, export or transport by post, manufactured drugs.

#### **56. Transmission by post.**

- The transmission of manufactured drugs by inland post by licensed chemist or licensed dealer for medicinal purposes may be permitted subject to the following conditions :(i)only the parcel post shall be used;(ii)the parcels shall be insured;(iii)the parcels shall be covered by pass which shall in the case of transmission to a district within the State be issued by the Collector of that district and in other cases by the proper authorities in the State to which parcels are addressed;(iv)the parcels shall be accompanied by a declaration stating the names of the consignee and the consignor, the contents of the parcels in detail, the number and date of the pass covering the transmission and the details of the licence or authorisation held by the consignee; and(v)the consignee shall show distinctly in his account books the name of the consignor and the quantity of drugs received by him from time to time by post.

#### **57. Compliance of directions of the Excise Commissioner.**

- Every person importing, exporting or transporting manufactured drugs shall comply with such general or special directions as may be given by the Excise Commissioner.

## **Chapter VIII**

### **Opium**

## **58. Purchase by Government.**

(1) Notwithstanding anything contained in Rule 3, opium may be purchased by the Government from the Government Opium and Alkaloid Works, Ghazipur for use by the addicts registered with the Collector; such supplies may be made against annual requisition received from the Government, to the Officers authorised by the Government to receive such opium. (2) The opium received in accordance with sub-rule (1) may be kept in the District Treasury with proper security arrangement.

## **59. Issue of opium to addicts.**

- The issue of opium from the District Treasury to the registered addicts may be made in such quantity and at such price and subject to such conditions as are provided in these rules.

## **60. Exemption for possession by cultivator.**

- Nothing in these rules shall apply to the possession, by a cultivator licensed to cultivate opium poppy for the production of opium, under the Narcotic Drugs and Psychotropic Substances Rules, 1985, of his opium produce, until such time such produce is required to be delivered by him to the officer of the Narcotics Department authorised to receive such opium on account of Central Government.

## **61. Exemption for transport by cultivator.**

- Nothing in these rules shall apply to the transport of opium by a licensed opium poppy cultivator of his opium produce from the field from which it is produced to his residence and from his residence to the opium weighment centre set up by the Narcotic Department for the collection of such opium.

## **62. Exemption for transport on Central Government account.**

- Nothing in these rules shall apply to the transport of opium from the opium weighment centre to the Government Opium and Alkaloid Works at Ghazipur on account of Central Government.

## **63. Exemption for transport, export or import on Government Account.**

- Nothing in these rules shall apply to the transport, export or import of opium of any manufactured drug from or to the Government Opium and Alkaloid Works, Ghazipur.

## **64. Permit to opium addicts.**

(1) Any person, not below the age of 21 years and registered as an addict under these rules, or registered under the rule regarding registration of opium addicts in force in other States or Union Territory in India and having a certificate from duly appointed Medical Board desiring to possess

opium for purpose of oral consumption on medical ground shall make an application for a permit to the Collector or the District Excise Officer.(2)The Collector or the District Excise Officer, as the case may be, shall cause such enquiry to be made, as he may deem necessary, and on being satisfied that there is no objection to the grant of the permit applied for, he may, subject to standing order, if any, of the Government or the Excise Commissioner, grant the applicant a Permit in Form No. NDO-1 along with a copy of Form 'D' duly appended for correct maintenance of accounts of purchases of opium made by the permit-holder on payment of Rs. 10.00.(3)The permit-holder shall obtain his supply of opium from the treasury concerned on payment of price prescribed by the Government from time to time.(4)No opium other than the opium obtained under the permit issued under sub-rule (2) above shall be possessed or consumed by the permit-holder.(5)The opium purchased under the permit shall neither be used by any person other than the permit-holder nor shall it be used for any purpose other than the purpose for which the permit is granted.(6)The name of the permit-holder shall be entered in a register in Form No. NDO-3 maintained in the District Excise Office. Relevant extracts from this register shall be sent to the Excise Inspector of the circle wherein the permit-holders reside.(7)The permit shall be granted in respect of such quantity of opium as may be fixed by the Collector or the District Excise Officer, as the case may be, on the certificate of the Medical Board in Form No. NDO-4 after examination (record whereof shall be maintained in Form No. NDO-5 by the Medical Board) and in accordance with the order and direction issued by the Government or the Excise Commissioner from time to time, provided that permit shall not prescribe a quota of more than 50 grams a month and provided further that the quantity prescribed shall not be in excess of the quantity allowed to the permit-holder in the preceding year.(8)The quota of opium initially allowed to a permit-holder shall be reduced by  $\frac{1}{4}$ th every quarter, provided that the quantity reduced in any case shall not be less than 100 grams per quarter, and endorsement to that effect shall be made in all copies of the permit.(9)The permit initially granted may be renewed annually after the examination of the addict by the Medical Board concerned on payment of Rs. 10.00.

## **65. Permit for scientific or medicinal purpose.**

(1)Any person, desiring opium for scientific or medicinal purposes may apply through the Collector to the Excise Commissioner for a permit No. NDO-2 stating-(a)the name and full address of the applicant;(b)the purpose for which opium is needed;(c)the quantity of opium required;(d)the period during which the opium shall be used for scientific or medicinal purposes; and(e)the place at which it shall be kept and used.(2)The Collector may cause such enquiry to be made as he may deem necessary and shall forward the application with his recommendations to the Excise Commissioner, who in his turn after further enquiry, if any, may direct the Collector to grant the applicant a permit in Form No. NDO-2 alongwith copy of Form 'E' duly appended for correct maintenance of accounts of purchases of opium made and use thereof by the permit-holder and on such other conditions, if any, as the case may warrant. The permit fee for a permit in Form No. NDO-2 shall be Rs. 50 per annum.(3)The opium shall be purchased at treasury price from the treasury concerned or from the Government Opium and Alkaloid Works, Ghazipur.

## **66. Intimation of permits issued.**

- Permits in Form No. NDO-1 and NDO-2 shall be issued in triplicate. One copy of the permit shall be given to the applicant, the second copy shall be supplied to treasury concerned and the third shall be kept for record.

## **67. Possession of opium by pharmacies.**

- Person holding L-1 and L-2 licence under the Medicinal and Toilet Preparations (Excise Duties) Rules, 1956, may possess opium to the extent allowed in their respective licences.

## **68. Transport by pharmacies.**

- A person holding licence in Form L-1 or L-2 under the Medicinal and Toilet Preparations (Excise Duties) Rules, 1956, purchasing opium from a treasury or Government Opium and Alkaloid Works, Ghazipur, on indent in Form 1-D under the Medicinal and Toilet Preparations (Excise Duties) Rules, 1956, shall obtain from the officer-in-charge of the treasury an entry in his licence for each issue of opium obtained by him. The licence shall authorise him to transport the opium thus issued from the treasury or Government Opium and Alkaloid Works, Ghazipur, only to the place fixed for manufacture.

## **69. Transport by permit-holders.**

- Transport of opium by persons holding permit in Form NDO-1 or NDO-2 shall be covered by endorsements on their respective permits made by the treasury.

## **70. Transport by commissariat Department.**

- Commissariat Department of armed forces, whom proceeding on active service, may transport opium lawfully obtained on requisition by the Officer Commanding.

## **71. Transport of opium on Government account.**

- Opium or medicines containing opium may be transported by the Government on their own account.

## **72. Sale of opium from Sadar treasuries only.**

- Opium shall be sold from Sadar treasuries to opium addicts at such rate as the Government may, from time to time, prescribe by notification in the Gazette, supplies shall be made under conditions as may be prescribed by the Government from time to time.



### **73. Supply to officers commanding regiments proceeding on active service.**

- Opium in half kilogram cakes only shall be supplied from Sadar treasuries on pre-payment of the treasury price on requisition from officer commanding regiments when proceeding on active service.

### **74. Tenure and renewal of licences and permits.**

(1)Licences and permits under these rules shall be granted initially for excise year which shall be the year commencing from April 1, and ending March 31, following. Any licence granted in the course of the excise year will remain in force till March 31, following.(2)No person to whom a licence or a permit is granted under these rules shall have any claim for compensation on the termination or non-renewal thereof.

### **75. Constitution of medical board.**

(1)The Government shall constitute at the headquarters town of every division in the State, a medical board for examination of opium addicts. The Medical Board shall consist of the following members :(i)The Chief Medical Officer of headquarters district of the division.(ii)The District Medical Officer of Health at the headquarters of the division;(iii)The Medical Officer-in-charge of District Hospital or the headquarters district of the division.(2)The fee for examination by the Medical Board shall be Rs. 100 per addict.(3)The Medical Board shall forward its recommendations to the Collector of the district concerned on Form NDO-4 alongwith other records connected with the case. The record of the medical examination shall be maintained by the Medical Board in a register in Form NDO-5.

## **Chapter IX**

### **Miscellaneous**

### **76. Power to issue warrant and authorisation.**

- All Gazetted Officers of the Excise, Police, Drugs Control or Revenue Departments may exercise the powers under sub-section (2) of Section 41 of the Act.

### **77. Power of entry, search, seizure and arrest without warrant or authorisation.**

- Any Officer of the Excise or Police Department not below the rank of Inspector or of the Drug Control Department not below the rank of Inspector or of the Revenue Department not below the rank of Tahsildar may exercise the powers under Section 42 of the Act.

## **78. Officers to exercise powers of an officer-in-charge of a Police Station.**

- Any Officer of the Excise or Drugs Control Department, not below the rank of Inspector or of the Revenue Department not below the rank of Tahsildar, may exercise the power of an officer-in-charge of a police station in matters of investigation of offences under the Act.

## **79. Inspector of consignment of transit.**

- Any officer of the Excise or Police Department, not below the rank of Inspector or of the Drugs Control Department, not below the rank of Inspector or of the Revenue Department not below the rank of Tahsildar may, at any time, examine any consignment of narcotic drugs or psychotropic substances in transit. If, on such examination, such officer finds that the quantity of narcotic drugs or psychotropic substances in transit does not correspond to the terms and conditions of the permit or pass, or authorisation or licence issued, the consignment shall be detained and reported to the Collector of the district who shall, after giving reasonable opportunity of being heard to the holder of the permit or pass or authorisation or licence confiscate the same. Action taken under this rule shall not operate as a bar to the prosecution of the holder of permit or pass or authorisation or licence for commission of any offence under the Act or the rules made thereunder.

## **80. Inspection of licensed premises.**

- Any officer of the Excise Department not below the rank of Inspector may enter and inspect at any time by day or by night any place in which any licensee or permit-holder carries on the manufacture or stores or sells any narcotic drugs and may seize the narcotic drugs which the licensee or permit-holder manufactures, stores or sells in contravention of any provision of the Act or the Rules framed thereunder or the conditions of his licence or permit.

## **81. Disposal of contraband and other confiscating articles.**

- All animals, conveyances, articles or things other than a narcotic drug, confiscated under the Act shall be disposed of by the Collector or the District Excise Officer by public auction.(2)A sample of every narcotic drug (except Ganja, Charas, Bhang, Poppy straw or prepared Opium) shall be sent to the Chemical Examiner to Government, Agra for analysis. The procedure laid down in para 282 of the Excise Manual, Volume 1 (1974 edition) shall mutatis mutandis apply in the case of sending samples. On receipt of report from the Chemical Examiner the contraband may be disposed of by the Collector in accordance with the provisions of the Act and the rule.(3)If the confiscated drug is Ganja, Charas, Bhang, Poppy-straw or prepared opium, it shall be destroyed in the presence of the District Excise Officer under the order of the Collector.

## **82. Reward.**

- Money received from fines and proceeds of the confiscated articles recovered on the conviction of the accused under the Act, shall be first deposited in the proper departmental receipt Head and

- An appeal shall lie to the Excise Commissioner from an order of the Collector or the District Excise Officer under these rules and shall be presented to the Excise Commissioner within thirty days from the date of intimation of the order passed to the party concerned, provided that the Excise Commissioner, if he is satisfied that the appellant was prevented from submitting his appeal within the said time limit due to reasons beyond his control, allow such appeal to be presented within a further period of thirty days.

- The State Government may revise an order passed by the Excise Commissioner under these rules. The revision petition shall be presented to the Government within ninety days of the intimation of the order to the party concerned against which revision is preferred.

- A petition of appeal or a revision must be accompanied by an authenticated copy of the decision or order against which appeal or revision has been preferred.

- Any duty, licence fee or any other dues payable under these rules may be recovered as arrears of land revenue. Register in Form A [Rule 9] Account of Manufactured Drugs approved practitionerName and address of the Hospital .....

Note.-Give reference of purchase authorisation etc. in Remarks. Form No. NDLD[Rule 2 (XII) and 17 (1)] Licence for the manufacturer, possession and sale of drugs containing manufactured drugs other than prepaid opium by licensed dealer District ..... Licence No..... Name of the Dealer..... Locality of the shop..... Be it known that .....

resident(s).....of ..... is/are hereby authorised by the Excise Commissioner, Uttar Pradesh to manufacture, possess and sell, manufactured drugs other than prepared opium (hereinafter referred to as the Drugs). It is required by the holder/holders of this licence (hereinafter called the licensee) as a condition of its remaining in force, that he/they duly and faithfully abides/abide by the following : Conditions (1) The above licensee is hereby authorised to manufacture drugs containing manufactured drugs from ..... to March 31, 19..... (2) The licensee shall have in his possession, at the time, the quantity of manufactured drugs allotted to him by the Drugs Controller, Uttar Pradesh. (3) That he shall deposit with the Collector a sum of Rs. 5,000 in case Government Promissory Notes or in the form of such other valuable securities as are approved by the Excise Commissioner, duly pledged in the name of the Collector for the due observance of the conditions of this licence. In the event of a breach of the conditions of this licence or a conviction under the U. P. Excise Act, 1915, the Narcotic Drugs and Psychotropic Substances Act, 1985 or the Drug and Cosmetics Act, 1940, the security shall be forfeited besides the penalties imposed under the said Acts. (4) He shall not transfer his licence to any other person. (5) He shall not enter into partnership without the prior approval of the Excise Commissioner. (6) (a) He shall sell his drugs to the licensed chemist holding NDLC Licence. (b) To an approved practitioner. (c) To a hospital or dispensary, educational or Scientific Institution, upto quantities authorised by the Collector. (7) He shall store the drugs manufactured by him only at the licensed premises. (8) He shall not allow any one to consume the drugs manufactured by him at his licensed premises. (9) He shall allow inspection of his licensed premises and produce his licence and accounts of the sales of drugs at once on demand by any officer of the Excise Department not below the rank of Excise Inspector or any other officer specially or generally empowered by the Collector or the District Excise Officer in this behalf. (10) That he shall punctually submit all the statements and returns prescribed for submission by the Excise Commissioner or any other authority on the due date. (11) He shall maintain daily account in the following proforma :

Date	Opening balance of manufactured drugs	Receipt of manufactured drugs	Total	Issued for manufacture of medicine	Balance of manufactured drugs	Name of the Medicine
1	2	3	4	5	6	7

Total Qty. produced	Qty. Sold	Name and full address of the purchaser	Authority under which medicine was sold	Balance of the medicine	Remarks
8	9	10	11	12	13

(12) He shall not export drugs to any State in India unless the export rules are fully observed. (13) He shall obtain his supplies of manufactured drugs only from the places indicated by the Drugs Controller, Uttar Pradesh or the Excise Commissioner. (14) That he shall furnish to the Excise Commissioner, at the end of each quarter ending March 31, June 30, September 30 and December 31, but before the 15th day of the Month following the quarter to which it relates, the figures regarding import, export and the stock of Narcotic Drugs in Form 'B' duly verified and checked by the Excise Inspector of the circle concerned. (15) In case of cancellations of his L-1 or L-2 licence this licence so far as it relates the manufacturer of manufactured drugs shall stand cancelled

automatically.(16)This licence may be cancelled by the Excise Commissioner if any breach of the provisions of the Narcotic Drugs and Psychotropic Substances Act, 1985, the United Provinces Excise Act, 1910, or the Drugs and Cosmetics Act, 1940, or of any of the rules made thereunder, or of the abovementioned conditions is committed by the licence-holder by himself or by his partner or agent or any other person employed or working in the premises for which this licence is granted.Date :Place :Excise Commissioner, Uttar Pradesh.Form BParticulars regarding import, export and stock of Narcotic Drugs during the quarter ending ..... (to be furnished by the licensed dealer to the Excise Commissioner within fifteen days after the end of the quarter to which the statement relates)Name and District.....Name and address of the licensed dealer.....

RECEIPT

Name of manufactured drugs	Stock on the last day of the previous quarter	Import from foreign countries during the quarter	Imports from other States in India during the quarter	Purchases from other dealers in the State, if any, during the quarter	Total Receipt
1	2	3	4	5	6

EXPENDITURE

Export to foreign countries during the quarter	Export to other States in India during the quarter	Sold to manufacturers holding NDLD licence in the State during the quarter	Sold to civil hospital and similar institutions in the State during the quarter	Sold to other permit holders or the State, if any, during the quarter	Quantity sold to NDLC Licensee	Total expended	Stock on the last day of the Quarter
7	8	9	10	11	12	13	14

Verification of the Excise Inspector of the circle concerned (Signature of the Licensee)

Form No. NDLC[Rule 2 (XI) and 17 (2)]Licence for purchase, possession and sale of manufactured drugs, other than prepared opium by licensed chemistsDistrict :Number of licence :Name of chemist :Locality of shop :Be it known that ..... Chemist ..... residing in.....is hereby authorised by the Collector of.....to purchase, sell and possess manufactured drugs other than prepared opium as medicine at ..... from the date of this licence to March 31, 19..... more on payment of licence fee of Rs. 100 under the following conditions :Conditions(1)That he shall not transfer this licence to any other person.(a)That the total quantity of diacetylmorphine together with that of the morphine contained in the drugs in his possession shall not exceed 10 grams in all.(b)That the total quantity of extracts and tinctures of hemp in his possession shall not exceed 200 grams of each kind or larger quantity as may be fixed by the Collector with the previous sanction of the Excise Commissioner.(c)That he shall not have in his possession at any time more than 10 grams of cocaine in all.(d)That he shall not have in his possession at any time more than such quantity of other narcotic drugs that contain more than 50 grams of the active

ingredients. Note.-In the case of preparation of admixture cocaine the limit of possession under this clause, or of sale under this clause, shall be determined by the amount of cocaine actually contained in such preparation or admixture. (2) That he shall store and sell the drugs only at the premises for which this licence is granted and that he shall not sell or store the drugs in any other place without separate licence. (3) That he shall purchase the drugs to be sold under this licence from licensed chemist, licensed dealer or from the Government Opium and Alkaloid Works, Ghazipur and that he shall not receive or have in his possession drugs obtained from elsewhere. (4) That if he has been permitted to import drugs from outside India, he shall obtain on which he desires to import the drugs and before intending for the same, an imported permit from the Collector and conform to such other rules as the Central Government may make. (5) That he may sell the drugs on prescription subject to the following conditions : (a) He shall sell the drugs in such quantity and for the use of such person only as may be specified in the prescription. (b) If the prescription does not bear a superscription by an approved practitioner stating that it is to be repeated and at what interval time it is to be repeated, he shall sell the drugs once only on such 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 will be retained. (c) If the prescription bears a superscription as aforesaid he shall on the prescription enter the date of sale and shall sign or seal the prescription 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 superscription has not elapsed since the prescription was last dispensed, he shall not sell the drugs on such prescription unless it is further superscribed in this behalf by an approved practitioner. (6) That he may sell the drugs otherwise than on prescription- (a) To a licensed chemist. (b) To an approved practitioner. (c) To a person, duly authorised by the Collector in managing or supervising charge of a hospital or dispensary. (7) That he shall maintain account in the following form and entries shall be made on the day on which transactions take place :

Date	Quantity balance	Quantity received this day and when received	Total quantity to be accounted for	Quantity sold this day
1	2	3	4	5

  

Name of purchaser	Address	Date of prescription if any and name of medical practitioner who granted	Quantity remaining in stock	Remarks
6	7	8	9	10

(8) That he shall produce his licence and accounts of sale of the drugs together with the prescription, on the authority of which sales have been made for inspection at once on the demand of any officer specially or generally authorised by the Collector or District Excise Officer. (9) This licence may be cancelled by the Collector if any breach of the provisions of the Narcotic Drugs and Psychotropic Substances Act, 1985, the United Provinces Excise Act, 1910, or the Drugs and Cosmetics Act, 1940 or of any of the rules made thereunder, or if the abovementioned conditions is committed by the licence-holder by himself or by his partner or agent or any other person employed or working in the premises for which this licence is granted. (10) That he shall submit all statements and returns prescribed for submission to the Narcotics Commissioner or any other authority on due dates. (11) That he shall deposit with the Collector a sum of Rs. 1,000 in cash, Government

Promissory Notes or in the form of such other valuable securities as are approved by the Excise Commissioner, duly pledged in the name of the Collector for the due observance of the conditions of this licence. In the event of a breach of the conditions of this licence or a conviction under the U. P. Excise Act, 1910. the Narcotics Drugs and Psychotropic Substances Act, 1985 or the Drugs and Cosmetics Act, 1940, the security shall be forfeited besides the penalties imposed under the said Acts. Collector. District ..... Date ..... Form No. NDT[Rule 18 (1) (2)] Permit for the Transport of Manufactured Drug (First Copy) (To be given to the licensed dealer/chemist)

Date of issue of permit	Name of the licensee or the permit-holder	Address	Place from where the manufactured drug to be transported	Quantity with details of manufacturers drug	
1	2	3	4	5	
Locality and district or destination of the consignment of manufactured drug			Signature of the supplier of drug	Verification by authority	Remarks
6			7	8	9

Form No. NDT[Rule 18 (1) (2)] Permit for Transport of Manufactured Drug (Second Copy) (To be forwarded to the Collector of the district from which transport is to be made)

Date of issue of permit	Name of the licensee or the permit-holder	Address	Place from where the manufactured drug to be transported	Quantity with details of manufacturers drug	
1	2	3	4	5	
Locality and district or destination of the consignment of manufactured drug			Signature of the supplier of drug	Verification by authority	Remarks
6			7	8	9

Form No. NDT[Rule 18 (1) (2)] Permit for the Transport of Manufactured Drug (Third copy) (To be given to the dealer from whom purchases are to be made)

Date of issue of permit	Name of the licensee or the permit-holder	Address	Place from where the manufactured drug to be transported	Quantity with details of manufacturers drug	
1	2	3	4	5	
Locality and district or destination of the consignment of manufactured drug			Signature of the supplier of drug	Verification by authority	Remarks
6			7	8	9

Form NDT[Rule 18 (1) (2)] Permit for the Transport of Manufactured Drug (Fourth copy) (To be retained for office record)

Address

Date of issue of permit	Name of the licensee or the permit-holder	Place from where the manufactured drug to be transported	Quantity with details of manufacturers drug	
1	2	3	4	5
Locality and district or destination of the consignment of manufactured drug		Signature of the supplier of drug	Verification by authority	Remarks
6		7	8	9

Form No. NDPS-1[Rules 23, 24 and 25]Licence for purchase, warehousing and sale of poppy straw by licensed dealerRegister No.Name of licence-holder.Name of salesman.Exact description of premises where poppy straw is to be stocked and sold.Licence is hereby granted under and subject to the provisions of the Narcotic Drugs and Psychotropic Substances Act, 1985 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), authorising him to buy/possess and sell poppy straw at ..... in the district of ..... subject to the following condition, namely.Conditions

- 1. This licence shall remain in force from ..... March 31, 19.... (both days inclusive).**
- 2. The licensee shall not obtain poppy straw except as permitted under the U. P. Narcotic Drugs Rules, 1986.**
- 3. The licence shall not keep poppy straw except at the abovesaid premises.**
- 4. The licensee shall make sales only from the premises shown in this licence.**
- 5. No poppy straw 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 be kept it open after sunset.**
- 6. The licensee shall sell poppy straw only. He shall neither keep any stock of, nor sell, either mixed with poppy straw (which he is authorised to sell) or separately any narcotic drug or psychotropic substances.**
- 7. The licensee shall sell poppy straw only as prescribed in U. P. Narcotic Drugs Rules, 1986.**



- 8. He shall make sales only to persons holding licences in Form No. DPS-2 issued under U. P. Narcotic Drugs Rules, 1986 or licences in Form L-I or L-2 issued under the Medical and Toilet Preparation (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 of Licensed Dealer of Poppy straw.**
- 10. The licensee shall not permit on the abovesaid premises the consumption of Poppy Straw 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 NDPS-6 daily accounts of receipts and sales of poppy straw.**
- 14. The licensee shall produce his licence and accounts for inspection on demand by any Excise Officer empowered under the Narcotic Drugs and Psychotropic Substances Act, 1985 or the rules made thereunder, 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 straw and to take samples thereof.**
- 15. The licensee shall not sell, transfer or sublet the privileges conferred upon him by his 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 licence by the Narcotic Drugs and Psychotropic Substances Act, 1985 or by rules made thereunder shall render this licence, liable for cancellation by the Collector, and the poppy straw in respect of**

**which such contravention is made liable for confiscation according to the provision of the Narcotic Drugs and Psychotropic Substances Act, 1985.**

**17. In case this licence is not renewed on its expiry, the licensee shall forthwith dispose of the unused stock of poppy straw in the manner laid down in Rule 20 (3) (a), (b), (c), (d), and (f) of the Uttar Pradesh Narcotic Drugs Rules, 1986.**

**18. The licensee shall also hand over the accounts which he is required to keep under this licence.**

Collector.District .....Date .....Form No. NDPS-2[Rule 16]Permit for purchase, possession, transport and use of poppy straw for scientific, industrial, medical or research purpose in Uttar Pradesh

**1. Name, religion, nationality and profession of the permit-holder :**

**2. Father's/Husband's Name :**

**3. Permanent Address :**

**4. Purpose for which the permit is granted :**

**5. Quantity of poppy straw allowed :**

**6. Description of the place of use of poppy straw :**

**7. The period during which the poppy Straw to be used :**

**8. Name of licensed shop where from poppy straw shall be obtained :**

**9. Fee deposited for the permit :**

**10. Currency of the permit from ..... to.....**

This permit, liable to cancellation by the Collector without reason there being assigned, is granted under and subject to the provision of the Narcotic Drugs and Psychotropic Substances Act, 1985 and the rules made thereunder to..... resident of.....(hereinafter referred to as "the permit-holder"), authorising him to transport and possess poppy straw for scientific/industrial/medical/research purposes subject to the following conditions :Conditions

- 1. The permit-holder shall, as soon as possible present this permit before the local Excise Inspector for his counter-signature and in any case not later than one month from the date of receipt of this permit.**
- 2. The permit-holder shall obtain his supply of poppy straw only from the licensed dealer holding licence in Form NDPS-1 and shall carry the same without delay to the approved place of use by the shortest route and he shall not tamper with the consignment while in transit.**
- 3. The permit-holder shall present this permit to the licensed dealer at the time of purchase for endorsement on the reverse of the permit of the quantity of poppy straw sold to the permit-holder.**
- 4. This permit is non-transferable and is granted only for the purpose specified in the permit.**
- 5. Transfer of poppy straw received on this permit, either as free gift or on sale, is totally prohibited.**
- 6. No poppy straw other than poppy straw obtained under this permit shall be transported, possessed or used by the permit-holder.**
- 7. The privileges of transport and possession of poppy straw granted under this permit shall extend only so far they are incidental to use thereof in accordance with this permit.**
- 8. The permit-holder shall keep regular account of the quantity of poppy straw purchased and used by him in the form prescribed in Form C hereto appended.**
- 9. The permit-holder shall not at any time during the currency of the permit having in his possession poppy straw in excess of the quantity shown in his account as closing balance.**
- 10. It shall be competent for the permit-holder to possess and dispose of commodity in production whereof the use of poppy straw is incidental :**

Provided that when the commodity produced is a medical preparation the same shall not be open to sale :Provided further that in no case shall any provision of the Narcotic Drugs and Psychotropic

Substances Act, 1985 the medicinal and Toilet Preparations (Excise Duties) Act, 1955 or the rules framed thereunder be infringed by the permit-holder.

**11. The permit-holder shall be bound to present this permit for inspection on demand by officers of the Excise Department not below the rank Excise Inspector.**

**12. On infringement of any of the above conditions or of any conditions imposed by the Narcotic Drugs and Psychotropic Substances Act, 1985 or by the rules made thereunder, this permit may be cancelled and the stock confiscated.**

**13. In case the permit is surrendered, suspended or cancelled during its currency or is not renewed on its expiry, the licensee shall forthwith dispose off the unused stock of poppy straw in the manner laid down in Rule 20 (3) (a), (b), (c), (d) and (f) of the Uttar Pradesh Narcotic Drugs Rules, 1986.**

Collector.District .....Date.....Form CA-Details of Purchases of Poppy Straw made by the Permit-holder

Date	Total Quantity of poppy straw permitted to be purchased	Quantity of poppy straw of purchased	Running total of Quantity of poppy straw purchased	Signature of the Licensed Vendor
1	2	3	4	5

**B-Account of use of Poppy Straw Obtained**

Date	Opening Balance	Quantity obtained	Total Quantity in hand	Quantity used	Closing Balance	Mode of use in brief	Initials of permit-holder
1	2	3	4	5	6	7	8

Form No. NDPS-3[Rule 29 (1) (2)]Pass for the Transport of Poppy Straw(First Copy)(To be forwarded to the Excise Inspector of the place from where transport is to be made)

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

\*Sri/Sarvasri ..... is/are hereby authorised to transport from .....;..... to .poppy straw as detailed below :

Total quantity of poppy straw to be transported Packages

Number

Gross weight

This pass is granted under and subject to the provisions of the U. P. Narcotic Drugs Rules, 1986 and subject to the following conditions :(1)The consignment shall not be broken in transit.(2)This pass

shall remain in force upto and including ..... 19...Signature and designation of the Officer issuing the passNote.-Strike off whichever is inapplicable.(1)Quantity of poppy straw transported as actually received.(2)Examination of the contents of the consignment.(3)Signature of the consignee.Form No. NDPS-3[Rule 29 (1) (2)]Pass for the Transport of Poppy Straw(Second Copy)(To be sent to the Excise Inspector of the destination)

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

\*Sri/Sarvasri ..... is/are hereby authorised to transport from.....to..... poppy straw as detailed below :

Total quantity of poppy straw to be transported Packages

Number Gross weight

This pass is granted under and subject to the provisions of the U. P. Narcotic Drugs Rules, 1986 and subject to the following conditions :(1)The consignment shall not be broken in transit.(2)This pass shall remain in force upto and including ..... 19...Signature and designation of the Officer issuing the passNote.-Strike off whichever is inapplicable.(1)Quantity of poppy straw transported as actually received.(2)Examination of the contents of the consignment.(3)Signature of the consignee.Form No. NDPS-3[Rule 29 (1) (2)]Pass for the Transport of Poppy Straw(Third Copy)(To be handed over to the applicant for accompanying the consignment)

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

\*Sri/Sarvasri ..... is/are hereby authorised to transport from.....to..... poppy straw as detailed below :

Total quantity of poppy straw to be transported Packages

Number Gross weight

This pass is granted under and subject to the provisions of the U. P. Narcotic Drugs Rules, 1986 and subject to the following conditions :(1)The consignment shall not be broken in transit.(2)This pass shall remain in force upto and including ..... 19...Signature and designation of the Officer issuing the passNote.-Strike off whichever is inapplicable.(1)Quantity of poppy straw transported as actually received.(2)Examination of the contents of the consignment.(3)Signature of the consignee.Form No. NDPS-3[Rule 29 (1) (2)]Pass for the Transport of Poppy Straw(Fourth Copy)(To be retained for record)

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

\*Sri/Sarvasri ..... is/are hereby authorised to transport from.....to..... poppy straw as detailed below :

Total quantity of poppy straw to be transported Packages

Number Gross weight

This pass is granted under and subject to the provisions of the U. P. Narcotic Drugs Rules, 1986 and subject to the following conditions :(1)The consignment shall not be broken in transit.(2)This pass shall remain in force upto and including ..... 19...Signature and designation of the Officer issuing the pass\*Note.-Strike off whichever is inapplicable.(1)Quantity of poppy straw transported as actually received.(2)Examination of the contents of the consignment.(3)Signature of the consignee.Form No. NDPS-4[Rule 33 (1) (2)]Pass for the Import of Poppy Straw(First Copy)(To be handed over to the applicant to accompany the consignment)

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



\*Sri/Sarvasri ..... is/are hereby authorised to export  
from.....to..... poppy straw as detailed below :

Total quantity of poppy straw to beexported    Packages

Number

Gross weight

This pass is granted under and subject to the provisions of the U. P. Narcotic Drugs Rules, 1986 and subject to the following conditions :(1)The consignment shall not be broken in transit.(2)This pass shall remain in force upto and including ..... 19...Signature and designation of the Officer issuing the pass\*Note.-Strike off whichever is inapplicable.Form No. NDPS-5[Rule 35 (1) (2)]Pass for the Export of Poppy Straw(Second Copy)(To be forwarded to the Excise Inspector of the circle of export)

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

\*Sri/Sarvasri ..... is/are hereby authorised to export  
from.....to..... poppy straw as detailed below :

Total quantity of poppy straw to beexported    Packages

Number

Gross weight

This pass is granted under and subject to the provisions of the U. P. Narcotic Drugs Rules, 1986 and subject to the following conditions :(1)The consignment shall not be broken in transit.(2)This pass shall remain in force upto and including ..... 19...Signature and designation of the Officer issuing the pass\*Note.-Strike off whichever is inapplicable.Form No. NDPS-5[Rule 35 (1) (2)]Pass for the Export of Poppy Straw(Third Copy)(To be sent to the Collector of the district of import)

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

\*Sri/Sarvasri ..... is/are hereby authorised to export  
from.....to..... poppy straw as detailed below :

Total quantity of poppy straw to beexported    Packages

Number

Gross weight

This pass is granted under and subject to the provisions of the U. P. Narcotic Drugs Rules, 1986 and subject to the following conditions :(1)The consignment shall not be broken in transit.,(2)This pass shall remain in force upto and including ..... 19...Signature and designation of the Officer issuing the pass\*Note.-Strike off whichever is inapplicable.Form No. NDPS-5[Rule 35 (1) (2)]Pass for the Export of Poppy Straw(Fourth Copy)(To be retained for record)

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

\*Sri/Sarvasri ..... is/are hereby authorised to export  
from.....to..... poppy straw as detailed below :

Total quantity of poppy straw to beexported    Packages

Number

Gross weight

This pass is granted under and subject to the provisions of the U. P. Narcotic Drugs Rules, 1986 and subject to the following conditions :(1)The consignment shall not be broken in transit.(2)This pass shall remain in force upto and including ..... 19...Signature and designation of the Officer issuing the pass\*Note.-Strike off whichever is inapplicable.Form No. NDPS-6[Rule 42]Register of accounts of poppy straw purchased and sold by a licensed 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	Number and date of transport or import pass granted by the Collector	Total of [columns 2 & 3]
1	2	3	4	5	6

  

	Quantity sold	Name and address of purchaser or permit-holder to whom sold	Number and date of transport or Export pass of special permit granted by the Collector for such sale	Closing balance	Remarks
7	8		9	10	11

Form No. NDE[Rule 53 (3)]Export pass for Manufactured Drugs(First Copy)(To be handed over to the applicant for accompanying the Consignment)Pass is hereby granted to  
Sri/Sarvsri.....to export the following manufactured drugs to  
.....Sri/Sarvsri .....

Details of manufactured Drugs    Quantity    Remarks

1	2	3
---	---	---

on the basis of an import authorisation issued by This pass is valid upto  
.....DateCollector.[Reverse]

Date of Export	Quantity of manufactured drugs actually exported	Signature of the Excise Inspector of the circle of export	Quantity of manufactured drugs received at the destination	Variation, if any	Signature of the verifying officer of the importing district
1	2	3	4	5	6

Form No. NDE[Rule 53 (3)]Export pass for Manufactured Drugs(Second Copy)(To be forwarded to the Excise Inspector of the circle of export)Pass is hereby granted to  
Sri/Sarvsri.....to export the following manufactured drugs to  
.....Sri/Sarvsri .....

Details of manufactured Drugs    Quantity    Remarks

1	2	3
---	---	---

on the basis of an import authorisation issued by.....This pass is valid upto  
.....DateCollector[Reverse]

Date of Export	Quantity of manufactured drugs actually exported	Signature of the Excise Inspector of the circle of export	Quantity of manufactured drugs received at the destination	Variation, if any	Signature of the verifying officer of the importing district
1	2	3	4	5	6



.....

**1** **2** **3**

[illegible]

1 2 3

Date of Export	Quantity of manufactured drugs actually exported	Signature of the Excise Inspector of the circle of export	Quantity of manufactured drugs received at the destination	Variation, if any	Signature of the verifying officer of the importing district
1	2	3	4	5	6

**3. Age .....**

**4. Father's/Husband's name .....**

**5. Permanent Address .....**

**6. Reference to medical certificate :**

(1)Date of certificate of the Medical Board .....(2)Quantity of opium recommended per month.....(3)Personal identification mark on the permit-holder as verified by the appointed medical board :(1)(2)(3)

**7. Quota of opium allowed per month by the Collector or the District Excise Officer :**

(a)Quarter ending 30th June .....(b)Quarter ending 30th September .....(c)Quarter ending 31st December .....(d)Quarter ending 31st March .....

**8. Subsequent charges (if any) in the address of the permit-holder.**

This permit is granted under and subject to the provisions of the U. P. Narcotic Drugs Rules, 1986 to..... resident of.....(hereinafter referred to as the permit-holder) on payment of a fee or Rs. 10 authorising him to possess and transport opium subject to the following conditions :Conditions

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

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

**3. (i) The permit-holder shall not obtain during any one month opium exceeding grams :**

Provided that this quantity shall be reduced every quarter in accordance with the provisions of sub-rule (8) of Rule 64 of the U. P. Narcotic Drugs Rules, 1986.(ii)The permit-holder shall not possess at any time more than the monthly quota of opium fixed for him during the quarter concerned.

**4. (i) The permit-holder shall not obtain his supplies of opium from any place except from the Sadar Treasury of the District.**

(ii)The permit-holder shall get the details of the purchases entered in Form D hereto appended by the Treasury before he removes the opium from the Treasury.(iii)No opium other than poppy straw obtained under this permit shall be transported, possessed or consumed by the permit-holder.(iv)The permit-holder shall purchase opium from the Sadar Treasuries personally.(v)Opium purchased on this permit shall be taken by the permit-holder to his residence without delay and by the shortest route.

**5. The permit-holder is authorised to take the purchased poppy straw upto the quantity fixed in his permit, in addition to his permanent address, to any place within Uttar Pradesh where he temporarily fixes up his residence.**

**6. The holder of a permit, the quarterly quota of which has been reduced by the Collector, shall within 15 days of such reduction get the changed quota entered in his permit, failing which the permit shall cease to be valid.**

**7. The permit-holder is not transferable and is granted for personal use of the permit-holder. Transfer of opium received on this permit either by sale or as free gift is totally prohibited. The opium shall not be used for any other purpose other than the purpose for which this permit is granted.**

**8. The privileges of purchase, transport and possession of opium granted under this permit shall extend only so far as they are incidental to its consumption in accordance with this permit.**

**9. The permit-holder shall be bound to present this permit for inspection on demand by officer of the Excise Department not below the rank of an Excise Inspector or of the Police Department not below the rank of a Sub-Inspector of Police.**

**10. On infringement of any of the above conditions or of any conditions imposed by the Narcotic Drugs and Psychotropic Substances Act, 1985 or by rules made thereunder, this permit may be cancelled and the stock of opium confiscated by the Collector.**

**11. In case the permit is cancelled during its currency or is not renewed on its expiry, the whole of the unconsumed stock of opium shall forthwith be surrendered to the Collector.**

Collector District ..... Date ..... Form D [Rule 64 (2)] Details of purchases of opium made by the permit-holder from ..... to

Date	Total Qty. of opium permitted to be purchased in the current month	Quantity of opium purchased	Running total of quantity of opium purchased since the first day of the current month	Difference between the quantity allowed in the current month and the running total (Col. 4)	Signature of Incharge officer of Sadar Treasury
1	2	3	4	5	6

Form No. NDLD [Rule 65 (1) (2) and 66] Permit for Possession and Transport of Opium for Scientific/Medical Purposes in Uttar Pradesh (In Triplicate)

**1. Name, religion, nationality and profession of the permit-holder....**

**2. Father's/Husband's name .....**

**3. Permanent address .....**

**4. Purpose for which the permit is granted .....**

**5. Quantity of opium allowed .....**

**6. Description of the place of use of opium ..**

**7. The period during which the opium is to be used .....**

**8. Name of Sadar Treasury wherefrom opium shall be obtained .....**

**9. Fee deposited for the permit .....**

**10. Currency of the permit from ..... to .....**

This permit, liable to cancellation by the Collector without reasons therefor being assigned, is granted under and subject to the provision of the Narcotic Drugs and Psychotropic Substances Act, 1985 and the rules made thereunder to.....resident of.....(hereinafter referred to as "the permit-holder") authorising him to transport and possess for scientific/medicinal

purposes, subject to the following conditions :Conditions

- 1. The permit-holder shall as soon as possible present this permit before the local Excise Inspector for his counter-signature and in any case not later than one month from the date of receipt of this permit.**
- 2. The permit-holder shall obtain his supply of opium only from the Sadar Treasury at the district headquarters and shall carry the same without delay to the approved place of use by the shortest route and he shall not tamper with the consignment while in transit.**
- 3. The permit-holder shall present this permit to the Sadar Treasury at the time of purchase for endorsement on the reverse of the permit of the quantity of opium sold to the permit-holder.**
- 4. This permit is non-transferable and is granted only for the purpose specified in the permit.**
- 5. Transfer of opium received on this permit, either as free gift or on sale, is totally prohibited.**
- 6. No opium other than poppy straw obtained under this permit shall be transported, possessed or used by the permit-holder.**
- 7. The privileges of transport and possession of opium granted under permit shall extend only so far they are incidental to use thereof in accordance with this permit.**
- 8. The permit-holder shall keep regular account of the quantity of opium purchased and used by him in Form "E" hereto appended.**
- 9. The permit-holder shall not at any time, during the currency of the permit have in his possession opium in excess of the quantity shown in his account as closing balance.**
- 10. It shall be competent for the permit-holder to possess and dispose of commodity in production whereof the use of opium is incidental :**

Provided that when the commodity produced is a medicinal preparation the same shall not be open to sale :Provided further that in no case shall any provision of the Narcotic Drugs and Psychotropic Substances Act, 1985, the Medicinal and Toilet Preparation (Excise Duties) Act, 1955 or the rules framed thereunder be infringed by the permit-holder.

**11. The permit-holder shall be bound to present this permit for inspection on demand by officers of the Excise Department not below the rank of an Excise Inspector.**

**12. On infringement of any of the above conditions or of any conditions imposed by the Narcotic Drugs and Psychotropic Substances Act, 1985, the rules made thereunder, this permit may be cancelled and the stock confiscated by the Collector.**

**13. In case the permit is surrendered, suspended or cancelled during its currency or is not renewed on its expiry, the whole of the unused stock of opium shall forthwith be surrendered to the District Excise Officer.**

CollectorDistrict .....Date .....Form E[Rule 65 (2)]A-Details of purchases of opium made by the permit-holder

Date	Total Quantity of opium permitted to be purchased	Quantity of opium purchased	Running total of Quantity of opium purchased	Signature of the officer-in-charge of the Treasury
1	2	3	4	5

B-Account of use of opium Obtained

Date	Opening Balance	Quantity obtained	Total Quantity in hand	Quantity used	Closing Balance	Sale of use in brief	Initials of permit-holder
1	2	3	4	5	6	7	8

Form No. NDO-3[Rule 64(6)]Register of Permit-holders of Opium

Serial Number	Date of application	Full name of the permit-holder with aliases (ifany)	Caste, religion and profession	Father's/ Husband's name	Address : House No., Mohalla/ Village, Town,Paragana, Tehsil	Identification marks
1	2	3	4	5	6	7

Quantity fixed for a month	Number and date of permit issued	Subsequent changes made in quota	Subsequent changes in address	Remarks about cancellation or renewal of the permit	Signature of the permit-holder in token of having received the permit
8	9	10	11	12	13

Form No. NDO-4[Rules 64 (7) and 75 (3)]Certificate from Medical Board recommending the grant to an applicant of a permit to possess opium for personal consumption in the State of Uttar Pradesh. This is to certify that \*Sri/Srimati/Kumari ..... [religion ..... who] is by \*his/her statement aged ..... years of age, residing at ..... has by \*his/her statement and on examination been found to be habituated to consume opium. The applicant states that \*he/she is suffering from ..... and on examination is found to be suffering from ..... [there is no trace of any incurable or painful disease]. We are of the opinion that the said \*Sri/Srimati/Kumari ..... requires for ^his/her personal consumption opium as a medical necessity in a quantity not exceeding ..... grams per mensem.

## 2. The personal identification marks of the above named .....

\*Sri/Srimati/Kumari ..... as verified are  
:(1).....(2).....(3).....The photograph of the above named Sri/Srimati/Kumari..... has been verified and found to represent \*him/her. A declaration to this effect has been signed on the reverse of the photograph. Place ..... Date ..... Signature with designation of the members of the Medical Board. \*Strike off whichever is inapplicable. Address in full. The licensee is of the incurable, or painful disease. Note.-(1) This "certificate" can only be given by Medical Board. (2) No certificate shall be granted to a minor. Form No. NDO-5[Rules 64 (7) and 75 (3)]Board of Medical Examination

### 1. Name and address of examinee.

### 2. Age.

### 3. Sex.

### 4. Weight.

### 5. Blood Pressure.

### 6. (a) General physical examination.

(b) 1. Evidence, if any, to show that the examinee is habituated to opium.

- 2. Evidence for loss of weight, if any.**
- 3. Condition of heart and blood vessels.**
- 4. Presence of any disease for which examinee is required to use or consume opium (please state the name of the disease and also whether it is an incurable or painful disease).**
- 7. Period for which the applicant is habituated to consume opium.**
- 8. Quantity of opium recommended by the examinee's personal medical advisor and the reasons given by him for such recommendation.**
- 9. Quantity of opium recommended per mensem by the Medical Board and also its reason for recommending or refusing the use or consumption of opium by the examinee.**

Place .....Date .....Signature with designation of the members of the Medical Board