

The Rules for Regulating the Use and Consumption of Ganja in a Prohibited Area, 1966

MADHYA PRADESH

India

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Rule

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- Published on 15 June 1966
- Commenced on 15 June 1966
- [This is the version of this document from 15 June 1966.]
- [Note: The original publication document is not available and this content could not be verified.]

The Rules for Regulating the Use and Consumption of Ganja in a Prohibited Area, 1966Published vide Notification No. 2754-772-5-SR, dated 15th June, 1966, M.P. Rajpatra, Part 4 (Ga), dated 9-12-1966, at pages 1007-1011In exercise of the powers conferred by clause (h) of sub-section (2) of Section 62 read with clause (c) of sub-section (2) of Section 16 of the Madhya Pradesh Excise Act, 1915 (No. 2 of 1915), the Madhya Pradesh Government hereby makes the following rules for regulating the use and consumption of Ganja in a Prohibited Area except the Katni-Murwara Tahsil of Jabalpur District.Preliminary

1.

The Rules may be called "The Rules for Regulating the Use and Consumption of Ganja in Prohibited Area, 1966".

2.

They shall come into force in the areas in which the Madhya Pradesh Prohibition Act, 1938 (VII of 1938), is in force except in the Katni-Murwara Tahsil of Jabalpur District from the date of notification.Definitions. - In these rules -(a)"Act" means the Madhya Pradesh Excise Act, 1915;(b)"Approved Medical Practitioner" means the Civil Surgeon or the District Medical Officer of the District.Permits

3.

(1) Any person, addicted to consume Ganja, may apply to the Collector for the grant of a permit to consume the same, stating the following particulars :- (a) Name of the application with father's name. (b) Caste, age and occupation. (c) Residence and address. (d) The number of years, for which the applicant has been using Ganja. (e) Warehouse/Treasury or Sub-Treasury, from which the applicant is to obtain Ganja in future. (f) The quantity of Ganja, required for use per week. (2) The officer mentioned in sub-rule (1) above shall forward the application to the Approved Medical Practitioner concerned for necessary remarks. (3) The Approved Medical Practitioner, on receipt of the application from the officer mentioned in sub-rule (1) shall make such enquiry from the applicant, as he may think necessary' and if he is satisfied that for the sake of the health of the applicant it is necessary to consume Ganja, he will recommend such quantity of Ganja to be supplied to him per week as he may think necessary and forward the application to the Collector. (4) If the Collector is satisfied, from the recommendation mentioned in sub-rule (3), that the Ganja recommended is necessary for the health of applicant he will register his name, and grant him a permit in the prescribed form specifying such quantity of the Ganja, as he may think sufficient but not more than 6 grams per week, and name of the Warehouse/Treasury or Sub Treasury from which the Ganja, may be purchased by the applicant. (5) The permit shall be issued in triplicate, one copy will be given to the applicant, the second shall be sent to the Warehouse Officer or Treasury Officer or Sub-Treasury Officer as the case may be, and the third will be retained for record in the District Excise Office. A list of such permit-holders shall be sent to the Excise Officers concerned of the prohibited area. (6) The permit shall include the right to transport the Ganja upto the permitted quantity from the Warehouse/Treasury or Sub-Treasury' to the premises in which the permit-holder resides. Any change in the permanent address of the permit-holder shall at once be communicated by him to the Collector. (7) The permit-holder may carry with the Ganja supplied to him to any place in the State within the prohibited area, where he may take temporary residence. In every case, the permit-holder shall keep the permit with the Ganja purchased. (8) No Permit under the aforesaid provisions shall be granted for any period beyond 31st March, next following the date of commencement of the permit. (9) The permit shall be issued or renewed on payment of a fee of five rupees only. In case of loss, a duplicate permit will be granted on payment of a fee of rupees two only. (10) The Collector shall have discretion 'to refuse' to renew a permit, or if he renews it, to reduce the quantity fixed as weekly ration in sub-rule (4) without assigning any reason, and his discretion in the matter shall be final. (11) The Ganja shall be purchased at the rate fixed by the Government in this behalf from the Warehouse/Treasury or Sub-Treasury, specified in the permit, by the permit-holder in person, or through an agent holding a written authority from him to make such purchase on his behalf, and the quantity purchased shall be taken to the premises, where the permit-holder resides by direct route without unnecessary delay and the consignment shall not be tempered in transit. (12) The Warehouse/Treasury or Sub-Treasury Officer shall record under his signature on the back of the permit, the date and quantity of Ganja supplied each time, and the supply shall be so made that the quantity fixed for a week not exceeded : Provided that in special cases, the Local Excise Officer may, on an application made in this behalf and for reasons to be recorded in writing allow the supply of Ganja to the applicant, upto two week's quantity. Explanation. - 'Week' means a period of seven days from any day of the week. (13) The permit shall be personal and shall not entitle the permit-holder to share his Ganja with or to transfer

it to others.(14)No Ganja purchased under sub-rule (1) shall be consumed in any public place.(15)No permit shall be issued to any person for more than one intoxicant.

4.

Any infringement of the above rules or conditions of the permit shall render the permit liable to cancellation and the permit-holder to prosecution under the Act.

5.

The Collector shall have discretion to grant or refuse to grant a permit and his decision in the matter shall be final.Exemption

6.

These rules shall not apply to the import, export and possession of Ganja upto the quantity prescribed as the limit of possession, by a bonafide railway traveller, for his own personal use while passing through a prohibited area.Note :- (1) Bonafide railway traveller means a person who is resident of any place where these rules are not in force and who bonafide proceeding from such area to another such area has in the ordinary course of his travel, to pass through any portion of the prohibited area and who in the course of such passing through does not make any halt at any place within the prohibited area except a temporary halt solely incidental to such travelling, e.g., for change of train.(2)The terms "bonafide railway traveller", excludes tourists, businessmen, officials and the like, who in ordinary parlance, are styled "travellers" but who should be deemed to be temporary residents within the prohibited area.Miscellaneous

7.

The Collector may remove the name of any Medical Practitioner from the approved list after giving the person an opportunity to show cause.SealPermit for Possession of Ganja for personal Consumption

1. Permit holder's name

2. Father's/husband's name

3. Nationality, Religion or caste

4. Apparent age

5. Address in full

6. Occupation

7. Quantity of Ganja recommended per week by the Approved Medical Practitioner

8. Name of ailment for which Ganja is required or whether Ganja is essential for the addicts health or for smoking

9. Personal Identification marks of the permit holder as verified by the Approved Medical Practitioner

10. Registration No. and date of the permit-holder (to be filled in by the Excise Authority.....)

Under Rule 3 (4) of the Madhya Pradesh Ganja Rules, 1966 and in consideration of the payment of fee of Rs the receipt of which is hereby acknowledged this permit is granted to.....of..... mentioned above (hereinafter called "permit-holder") to possess, transport and consume Ganja subject to the following conditions, namely :-Conditions

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

2. The permit-holder as soon as possible present this permit before the Excise Inspector/Sub-Inspector of his circle or area for his countersignature and in any case not later than one month of the receipt of this permit.

3. The Ganja purchased under this permit shall be used solely for the personal consumption by the permit-holder and he is not entitled to transfer it to others.

4. The permit-holder shall not purchase during any week Ganja exceeding 6 grams provided that this quantity may be reduced during the currency of the permit. Ganja will be issued to the permit-holder in each week as under :-

Period	Weekly quota
1st week from.....	togr.
2nd week from.....	togr.

3rd week from..... togr.

4th week from..... togr.

5. The permit-holder shall obtain his supplies of Ganja from Warehouse/Treasury or Sub-Treasury only. The permit-holder shall get the details of such purchase entered on the reverse of the permit by the officer issuing Ganja before he removes the Ganja purchased by him, from the premises.

6. The permit-holder shall credit the price of Ganja at such rate as may fixed from time to time in this behalf in a Treasury or Sub-Treasury and shall present the receipted Treasury challan to the officer-in-charge for issuing Ganja.

7. This permit, shall be personal and non-transfer and may be cancelled at any time by the Collector.

8. On breach of any of the above conditions or provisions of the M.P. Excise Act, 1915 or of any executive orders or instructions issued from time to time this permit shall be cancelled.

Signature or left thumb-impression of the permit-holder
Signature of the Collector
Date
:Inspector/Sub Inspector. Excise Circle. Reverse of the Permit
Details of each purchase of Ganja made by the permit-holder

Date	Total Quantity of Ganja permitted to be purchased in current month	Quantity of Ganja purchased
(1)	(2)	(3)
Total Quantity of Ganja purchased in the current month, I, II, III, IV (Week)	Difference of columns (2) & (4)	Signature of Officer Incharge issuing Ganja
(4)	(5)	(6)