

The Poisons (Madhya Pradesh) Rules, 1960

MADHYA PRADESH

India

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Rule THE-POISONS-MADHYA-PRADESH-RULES-1960 of 1960

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The Poisons (Madhya Pradesh) Rules, 1960 Published vide Notification No. 1817-5-SR, M.P. Rajpatra Part 4 (Ga), dated 23-9-1980 at p. 956 In exercise of the powers conferred by sub-section (1) of Section 8 and other powers enabling in this behalf of the Poisons Act, 1919 (No. 12 of 1919), the State Government hereby makes the following rules, the same having been previously published as required by sub-section (2) of Section 8 of the said Act.

1. Short title and commencement.

- These rules may be called the Poisons (Madhya Pradesh) Rules, 1960.

2. Definitions.

- In these rules, unless the context otherwise requires, -(a) "Act" means the Poisons Act, 1919 (No. 12 of 1919); (b) "Form" means a form set forth in the Second Schedule to these rules; (c) "Poisons" means the poisons specified in the First Schedule to these rules.

3. Prohibition of sale or possession of poison without a licence.

- Unless exempted under the provisions of the Act, no person shall sell or possess for sale any poison except under and in accordance with the conditions of a licence issued by the District Magistrate in Form A.

4. Licences by whom to be granted.

- The grant or renewal of a licence to any applicant shall be at the discretion of the District Magistrate whose decision thereon shall be final.

5. Duration of licences and application.

- Subject to the provisions of Rules 6 and 7 a licence granted under Rule 3 shall remain in force for one year from the 1st January or the date of issue, if later than the 1st January, to the 31st December following. Every applicant for the grant or renewal of a licence shall make a written application to the District Magistrate, and such application shall bear a non-judicial stamp of rupee one.

6. Termination of licences.

- A licence shall terminate on the death of the licence-holder, or, if granted to a firm or company on the winding up or transfer of the business of such firm or company.

7. Revocation or cancellation of licences.

- Notwithstanding anything contained in Rule 6, the District Magistrate may, for any sufficient cause revoke or cancel any licence granted under Rule 3.

8. Sale of poisons.

- Every sale of poison shall, so far as possible, be conducted by the licence-holder in person, or where the licence-holder is a firm or a company through, or under the supervision of an accredited representative of such firm or company.

9. Persons to whom poisons may be sold.

(1) A licence-holder shall not sell any poison to any person other than another licence-holder unless such person appears to the licence-holder to be over 18 years of age and produces a permit in Form B issued by the District Magistrate or any other officer authorised by him in this behalf. (2) No licence-holder shall sell the poison named in the permit in Form B except in quantities specified therein. The permit shall be retained by the licence-holder. (3) Any person desirous of obtaining a permit in Form B shall make an application in writing to the District Magistrate. The District Magistrate or the officer authorised by him in this behalf may grant or reject the application.

10. Purchase or possession of poisons by a Medical or Veterinary practitioner.

- Nothing contained in these rules shall apply to the purchase or possession of any poison required by a medical or veterinary practitioner for bona fide use in the exercise of his profession as such.

11. Register of sales of poisons.

(1) Every licence-holder shall maintain a register in which he shall enter all sales of poison. The following particulars in respect of each sale, shall be entered in one part of the register, namely

:- (a) Name of poison. (b) Quantity sold. (c) Date of sale. (d) Name and address of purchaser, the number and the date of the permit and the reference to the file in which the permit is preserved. (e) Age of purchaser. (f) Purposes for which the poison was stated by the purchaser to be required. (g) Signature of purchaser (or thumb-impression if illiterate) or in case of purchase by post, date of letter or written order and reference to the original in the file in which it is preserved. (h) Signature of vendor. (2) In another part of the register and in the respective column for each poison, shall be entered the quantity of each position sold daily. These entries shall be filled up from day to day. (3) The signature under item (g) of the register shall be that of the licence-holder himself, or when the licence-holder is a firm or company, that of an accredited representative of such firm or company, and shall be entered at the time of sale or despatch to the purchaser. Such signature shall be held to imply that the writer has satisfied himself that the requirements of Rule 9 have been fulfilled. (4) All permits and letters or written orders referred to in clauses (d), (1) and (g) of sub-rule (1) shall be preserved in original by the licence-holder for a period of not less than two years from the date of the sale.

12. Stock Register.

(1) A licence-holder shall maintain in respect of each poison a stock register in Form C. (2) The stock register shall be balanced daily.

13. Prescription Register.

- Every dispensing chemist and druggist or medical practitioner who makes up his own prescription shall maintain a prescription register in Form D.

14. Power to inspect poisons and registers.

- Any Magistrate, any Police Officer not below the rank of a Sub-Inspector, any Revenue Officer not below the rank of a Naib-Tahsildar, or any Medical Officer not below the rank of an Assistant Medical Officer, [any Drug Inspector] [Inserted by Notification No. 1606-A-XVII-M-4, dated 28-7-1981.] may, at any time visit and inspect the premises of a licence-holder where poison is kept for sale and may inspect all poisons found therein and the registers maintained under Rules 12, 13 and 14 and may record his remarks in an inspection book which shall be kept by the licence holder for this purpose.

15. Custody of poisons kept for sale and labelling of receptacles in which they are kept.

- A licence-holder shall keep each poison separately in receptacle of glass-metal or earthenware bearing the name of the poison kept in it. All receptacles shall be kept in a box, almirah, room or building which shall be secured by lock and key and in which no substance other than poison shall be kept. The receptacles and the box, almirah, room or building shall be labelled with labels of suitable size bearing the word 'poison' in red and the word shall be written in English and Hindi.

16. Poisons sold to be securely packed and labelled.

- When any poison is sold, it shall be securely packed in a closed receptacle or packet (according to the quantity) and every such receptacle or packet shall be labelled by the vendor with a red label bearing the word 'poison' in English and Hindi and the number and date of the entry' in the register of sales specified in Rule 11.

17. Sale of powdered white arsenic.

- A licence-holder shall not sell powdered white arsenic to any person, except to a medical or veterinary practitioner or chemist who requires pure arsenic for his legitimate purposes unless the same is, before the sale thereof, mixed with soot, indigo and Prussian blue in the proportion of at least half an ounce of soot, indigo or Prussian blue to one pound of white arsenic.

18. Sale and possession for sale of tetraethyl lead.

- Nothing in these rules shall apply to the sale and possession for sale of tetraethyl lead (or ethylfluid) when it is mixed with petroleum, provided that the following conditions are complied :- (i) every can and pump shall be labelled to indicate the presence of the said poison in the petroleum, to warn the user, to avoid spillage and to prohibit its use for other purposes than motor fuel; (ii) the mixture shall be dyed so as to provide an additional check against its use otherwise than as motor-fuel; and (iii) the amount of the said poison in the mixture shall not exceed 1 part in 1,300 parts by volume and 1 part in 650 parts by weight.

19. Repeal and Savings.

- On coming into force of these rules, all rules corresponding thereto in force in any region of the State of Madhya Pradesh shall stand repealed : Provided that anything done or any action taken under any of the rules so repealed shall, unless such thing or action is inconsistent with any of the provisions of these rules, be deemed to have been done or taken under the corresponding provisions of these rules. [First Schedule] [Substituted by Notification No. 1606-A-XVII-M-4, dated 28-7-1981.] [See clause (c) of Rule 2] Uniform State Poisons List
Abrus precatorius, seeds of (Gunj or Rati). Aconite
Alpha-Naphthylthiourea. Arsenic
Ammonia except substances containing less than 5 per cent, weight in weight of ammonia and except when contained in smelling salts. Antimony, compounds of antimony, both organic and inorganic. Arsenic, arsenic white, arsenic yellow, red arsenic, arsenic sulphide, copper arsenite (Scheele's Green), copper acetoarsenite (Paris Green), Calcium arsenate, Calcium Arsenite, Copper arsenate, Potassium arsenite, Sodium arsenate, Sodium arsenite, Sodium thioarsenate, Arsenical solution, and acid solution of arsenic, Arsenic bromide. Barium, Salts; except Barium sulphate. Belladonna and all preparations and admixtures containing Belladonna except Belladonna plasters and substances less than 0.15 per cent, of the alkaloids of Belladonna calculated as Hyoscyanine. Cannabis Indian. Chloro dinitrobenzene. Chloroform, except substances containing less than 10 per cent, of chloroform. Chloro-nitrobenzene (ortho-chloronitrobenzene, meta-chloronitrobenzene;

para-chloronitro-benzene).Chloro-ortho-toluidine.Chrysophanic Acid.Coculus indicus (kakamari).Cresote except substances containing less than 50 per cent, weight in weight of cresote.Croton, oil seeds of.Cupric acetate (Vendigris).Cyanide of Potassium, Cyanide of sodium and cyanide of calcium. Datura, seeds and leaves of (stramonium); all preparations and admixtures containing Datura except substances containing less than 0.15 per cent of the alkaloids of Datura calculated as Hyoscyamine.Diasinon.Dieldrin.Digitalis.Folia.Dinitrobenzene.Dinitrocresols, their compounds with a metal or a base. Dinitronaphthols, dinitrophenols, substituted dinitrophenols and dinitrothymols.Dinitrotoluenes.Dinosam; its compounds with a metal or a base.Dinoseb; its compounds with a metal or a base.DNOC (Dinitro-ortho-compound).Endrin.Ergot (the sclerotia of any species of claviceps).Ethoxy ethyl Mercury chloride.Ethyl Mercury Phosphate.Formaldehyde, except substances containing less than 5 per cent weight in weight of formaldehyde.Formic Acid.Heptachlor.Hydrocyanic acid, except substances containing less than 0.1 per cent weight of Hydrocyanic acid.Hydrocyanic acid, except substances containing less than 9 per cent weight of Hydrochloric Acid.Hydrofluoric acid, Potassium fluoride, Sodium leaves.Hyoschamus (Hembane or Khurasani Ajvayan) leaves.Lead acetates compounds of lead with acids from fixed oils.Lead arsonate.Marking Nut (fruit of semicarpus anacardium also known as Bhilawa). Mercury.Mercury ammonium chloride.Mercuric chloride, except substances containing less than 1 per cent weight in weight of mercuric chloride.Mercuric iodide, except substances containing less than 2 per cent weight in weight of mercuric iodide.Mercuric Nitrate.Mercury' organic, except substances containing less than the equivalent of 0.20 per cent weight in weight of Mercury (Hg).Mercury oxides of.Mercury oxycyanide.Mercuric Potassium Iodide except substances, containing less than the equivalent of 1 per cent weight in weight of Mercuric Iodide.Mercuric Sulphocyanide.Metasytose.MethanolMethyl Bromide.Nitric acid, except substances containing less than 9 per cent weight in weight of Nitric acid.Nitrobenzene.Nitrophenols (ortho-meta or para).Nux vomica, seeds of; preparations or admixture containing Nux Vomica, except substances containing less than 0.2 per cent, weight in weight of the alkaloids of Nux Vomica.Oxalic Acid; sodium oxalate potassium oxalate; ammonium oxalate and other metallic oxalates.Opium; all preparations and admixtures containing opium except substances containing less than 0.2 per cent of morphine calculated as anhydrous morphine.Phenols (any member of the series of phenols of which the first member is phenol and of which the molecular composition varies from member to member by one atom of carbon and two atoms of hydrogen) except substances containing less than 60 per cent weight in weight of phenol; compounds of phenol with a metal except substances containing less than the equivalent of 60 per cent weight in weight of phenol.Phenyl Mercuric Acetate, except substances containing less than the equivalent of 0.2 per cent weight in weight of Mercury (Hg).Phenyl Mercuric Chloride except substances containing less than the equivalent of 0.2 per cent, weight in weight of Mercury (Hg).Phenyl Mercury Urea.Phenylene diamines, toluene diamines, other alkylated benzene diamines, their salts.Phosphorus Yellow.Phosphorus compounds, the following :-Demeton, Methyl demeton, Hexa-ethylteraphosphate (HETP);Tetraethylpyrophosphate (TEPP); Ethyl Pyrophosphorothionate(Sulfotep); Octamethylphosphorodiamidic anhydride (CMPA) or (Schrader), Parathion, Methyl Parathion Phosdrin, Phostoxin (Hydrogen Phosphide), Gusathion (Guthion), Trithion.Poppy all preparations of, except red poppy petals.Potassium Hydroxide, except substances containing less than 12 per cent weight in weight of potassium Hydroxide.Red Lead (Lead Oxide Red).Sodium Hydroxide, except substances containing less than 12 per cent weight in weight of sodium hydroxide.Sodium

Monofluoroacetate. Sodium Nitrite. Stramonium. Strychnine and its salts, except substances containing less than 0.2 per cent weight in weight of strychnine. Sulphuric Acid except substances containing less than 9 per cent weight in weight of sulphuric acid. Systox. Tartar Emetic, except preparations containing less than 1 per cent of tartar emetic. Tetraethyl Lead. Thallium, salts of. Thimet. Tri-orthocressyl Phosphate. Warfrain. White Lead (Lead Carbonate). Zinc Chloride. Zinc Phosphide. Note. - Preparations containing any of the above poisons are also covered by this list.] Second Schedule Form A [See Rule 3] Licence No. of 196 Licence for the sale or Possession for Sale of Poisons Licence is hereby granted under and subject to the provisions of the Poisons Act, 1919, and the rules made thereunder to Shri of. Tahsil District (hereinafter called the 'licensee') authorising him to possess for sale or the sale of poison in his place of business or profession situated at. in the Tahsil of. in the district of. subject to the following conditions namely :- Conditions

- 1. This licence shall remain in force from to (both days inclusive).**
- 2. The licensee shall keep his licence at his shop.**
- 3. The licensee shall have constantly fixed upon a conspicuous part of the front of his shop a sign-board bearing in legible character in the language of the district his name, the number of his licence and words "licensed to sell or to possess for sale poisons."**
- 4. The licensee shall be responsible for all acts of his agents or servants.**
- 5. The licensee shall forthwith give information at the nearest police station of the loss or theft of any quantity of any poison.**
- 6. In case the licensee changes his place of residence to another district, he shall intimate to the District Magistrate of the latter district, within eight days of his arrival in that district.**
- 7. The licensee shall comply with all orders and directions consistent with the rules that may be given by the authority granting the licence.**
- 8. The licensee shall abide by the conditions of this licence and the provisions of the Poisons Act, 1919, and the rules made thereunder.**

Granted this day of 196 (Seal) Place. Signature and designation of the Officer, granting the licence.

Form B

Form B

[Seesub-rule (1) of Rule 9]

Permit for the Purchase of a Poison

Counter Foil

(To be retained in District Office)

Name and complete address of the person to whom issued.....

Quantity and the poison for which issued.....

Date on which issued.....

Date of expiry if not used earlier.....

Signature of Issuing Authority.....

[Seesub-rule (1) of Rule 9]

Permit for the Purchase of a Poison

Permit No.....

Name and complete address of the person to whom issued

This permit entitles the person above named to purchasethe.....not exceeding

Purpose

This permit expires on if not used earlier.

District Magistrate or the person authorised by him.* Name of Poison Form C [See Rule 12] Monthly Stock Register-Poison Name of The Poison

Serial No.	Balance in stock	Date	Name and address of the person from whom received	Quantity received
(1)	(2)	(3)	(4)	(5)

Date Quantity sold Balance in stock Remarks

(6) (7) (8) (9)

Form D [See Rule 13] Form of Prescription Register

Date Name of patient Age Address Prescription (to be copied in detail from the original presented)

(1) (2) (3) (4) (5)

Name of poison	Quantity of poison used in prescription	Initials of dispensing chemist	Signature of Licence holder	Remarks
(6)	(7)	(8)	(9)	(10)