

**THE ASSAM DANGEROUS DRUGS
RULES, 1937***

**[Rules under sub-S. (2) of S. 8 of the Dangerous Drugs
Act, 1930]**

1. Short title.

These rules may be called the Assam Dangerous Drugs Rules, 1937. They shall apply to the excluded areas of the Province also.

2. Definitions.

In these rules, unless there is anything repugnant in the subject or context –

- (a) “The Act” means the Dangerous Drugs Act, 1930.
- (b) “Collector” includes the Chief Officer in-charge of the Revenue administration of the district or frontier tract for the time being and also any officer specially authorised by the Governor to exercise throughout the Province or in any specified area therein all or any of the powers of a Collector under these rules.

- (c) “District Collector” means the Chief Officer in-charge of the Revenue administration of a district or frontier tract.
- (d) “Approved practitioner” means –
- (i) any person registered as a medical practitioner under the Medical Act, 1858, any Act of Parliament amending the same, or under any law for the registration of medical practitioners for the time being in force in any part of British India, or
 - (ii) any person registered as a dentist under the Dentists’ Act, 1878, and any Act of Parliament amending the same, or
 - (iii) any person possessed of qualifications which render him eligible for registration as medical practitioner or dentist, as the case may be, under the Medical Act, 1858, the Dentists’ Act 1878, and any Act of Parliament amending the same Acts, or under any law for the registration of medical practitioners or dentists for the time being in force in any part of British India, and who is approved by order of the District Collector for the purpose of these rules, or of corresponding rules for the time being in force in any part of British India,

- (iv) any person practicing veterinary medicine and surgery who has obtained the diploma of a recognised veterinary institution,
- (v) any other person engaged in medical, dental or veterinary practice and approved by order of the Excise Commissioner for the purpose of these rules:

Provided that if an approved medical practitioner is convicted of any offence under the Medical Acts, or is found guilty by a Medical Council of supplying dangerous medical drugs otherwise than for medical treatment, the Inspector General of Civil Hospitals may withdraw the privileges of an approved medical practitioner under these rules;

- (e) The expression “Dangerous Medicinal Drugs” means –
 - (i) coca leaf;
 - (ii) coca derivation;
 - (iii) medicinal hemp;
 - (iv) opium derivatives other than prepared opium;
and

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- (v) notified drugs as defined in sub-Cl. (h) of these definitions.
- (f) “Licensed chemist” means a person who has obtained a license under these rules for the sale on prescription of dangerous medicinal drugs, and for the manufacture of medicinal opium or of preparations containing morphine, diacetylmorphine or cocaine from materials which he is lawfully entitled to possess;
- (g) “Licensed dealer” means a person who has obtained a license under these rules for the sale of dangerous medicinal drugs otherwise than on prescription, and for the manufacture of medicinal opium or of preparations, containing morphine, diacetylmorphine or cocaine from materials which he is lawfully entitled to possess;
- (h) “Notified drugs” means any narcotic substance other than coca derivatives, medicinal hemp and opium derivatives which the Central Government may have declared by notification in the Gazette of India made in pursuance of a recommendation under Art. 10 of the Geneva Convention, to be a notified drug;
- (i) “Prescription” means a prescription given by an approved practitioner for the supply of any dangerous medicinal drug to a patient;

- (j) "Transmission" means –
- (i) to import into Assam from any part of British India through British territory,
 - (ii) to export out of Assam to any part of British India through British territory,
 - (iii) to transport within the Province of Assam.

3. Manufacture.

A licensed dealer or chemist may, subject to the conditions of his license, manufacture medicinal opium or any preparation containing morphine, diacetylmorphine or cocaine from materials which he may lawfully possess under these rules.

4. Possession.

Any person may possess such quantity of dangerous medicinal drugs as has been at one time dispensed and sold to him for his own use in accordance with the provisions of R. 20 or of corresponding rules for the time being in force in any part of British India outside Assam.

- 5.** An approved medical practitioner may possess dangerous medicinal drugs for use in his practice but not for sale;

Provided that he shall keep an accurate record of their disposal in such practice which shall be made available for inspection to a Collector or any Excise Officer of or above the rank of Sub-Inspector, unless exempted from doing so under the general order of the Commissioner of Excise or the special order of a District Collector.

Explanation. The expression “for use in his practice” cover only the actual direct administration of the drugs by or in the presence of an approved practitioner. All other issues of the drugs by an approved practitioner from his dispensary shall be deemed to be sales, for which a license for a chemist will be required, except in the case of issues free of charge from a charitable institution approved for this purpose by the Excise Commissioner.

- 6.** If an approved practitioner is in charge of a hospital or dispensary and is authorised in this behalf by the Collector by an order made under R. 23, he may possess dangerous medicinal drugs for use in the hospital or dispensary in such manner as may be specified by such order;

Provided (a) that he shall keep an accurate record of their use which shall be made available for inspection to the Collector or any officer authorised by the Collector by general or specific order to inspect the same; and(b) that he shall be personally responsible for the proper use of such drugs.

7. A licensed chemist may possess in his licensed premises such quantity of dangerous medicinal drugs as may be specified in his license.
8. A person to whom a pass has been granted under these rules for the transmission of dangerous medicinal drugs may possess such quantity of such drugs as may be specified in the pass.
9. **Transmission.** Any person may transmit dangerous medicinal drugs which he may lawfully possess under R. 4.
10. An approved practitioner not in charge of a hospital or dispensary may, subject to Rr. 5, 16 and 17, transmit any dangerous medicinal drugs under a pass in Form D.D.4 obtained from the collector of the district or frontier tract in which he is resident.
11. An approved practitioner in charge of a hospital or dispensary authorized in this behalf by the Collector by an order under R. 23 may, subject to Rr. 6, 16 and 17, transmit any dangerous medicinal drugs for use in the hospital or dispensary on an indent countersigned by the Civil Surgeon or the Superintendent of the Civil Veterinary Department.
12. A licensed dealer or chemist may, subject to Rr. 16 and 17, transmit dangerous medicinal drugs on a pass in Form D.D.4 obtained from the Collector of the district or frontier tract in which he is resident:

Provided that such a pass shall not be granted for a quantity of such drugs exceeding the quantity which the dealer or chemist may possess in accordance with his license.

- 13.** A licensed dealer may transit dangerous medicinal drugs from one district or frontier tract of Assam to another on a pass in Form D.D.4 to be obtained from the Collector of the place of destination.
- 14.** Nothing in these rules shall be deemed to permit the import or export between Assam and another part of British India of any dangerous medicinal drugs, unless the rules for the time being in force relating to the export and import of such drugs in the province from which the drugs are brought and the rules regarding transmission in any other Province through which the drugs pass, have been complied with.
- 15.** Dangerous medicinal drugs in transit through any part of the province of Assam to or from any place outside British India shall be marked "in transit", and the transmission shall conform to the rules governing import or export outside British India, as the case may be.
- 16.** A person may, subject to these rules, transmit or cause to be transmitted dangerous medicinal drugs by post: provided that –

- (1) he has obtained a pass from the Collector of the place of destination;
- (2) he uses only the parcel of post and has the parcel insured;
- (3) he furnishes with the parcel declaration stating the names of the consignor and consignee, the contents of the parcel in detail, the number and date of the pass covering the transmission, and such other particulars as may be prescribed from time to time by the Excise Commissioner;
- (4) he shows distinctly in his account books the name of the consignee and the quantity of drugs sent.

17. Every person transmitting dangerous medicinal drugs shall comply with such general or special direction as may be specified in any pass or order under which the transmission may be effected.

18. Sale. No person shall sell any dangerous medicinal drug unless he holds a valid dealer's license in Form D.D.1 or chemists' license in Form D.D.2, or both in which such drug is specified. A license fee of Rs. 3 shall be charged for every such license issued.

19. A licensed dealer may, subject to the conditions of his license, sell dangerous medicinal drugs otherwise than on prescription-

- (a) to a licensed dealer or licensed chemist
- (b) to an approved practitioner;
- (c) to a person holding an import certificate under the Dangerous Drugs (Import, Export and Transshipment) Rules, 1933; in a quantity not exceeding the quantity which the purchaser may lawfully possess:

Provided that in case (c) he shall comply with the rules aforesaid.

20. A licensed chemist may sell dangerous medicinal drugs on prescription subject to the following conditions:

- (a) (i) The prescription shall be in writing and shall be dated and signed by the approved practitioner with his full name, address and qualification and shall show the name and address of the person for whose use (or for the use of whose animal) the prescription is given and the total amount of the drug to be supplied.
- (ii) In the case of a prescription given by a dentist the prescription shall be for dental treatment

only and shall bear the words “for local dental treatment only”.

(iii) In the case of a prescription given by a veterinary prescription the prescription shall be for treatment of animals only and shall bear the words “for treatment of animals only”.

(b) A licensed chemist shall not dispense a practitioner unless he is acquainted with the signature of the approved practitioner by whom it purports to have been or is acquainted with the person or the family of the person for whose use, or for the use of whose animal, the prescription purports to be given, and has no reason to suppose that the prescription is not genuine.

(c) A licensed chemist shall date and sign a prescription each time he serves it.

(d) A licensed chemist shall not serve coca leaves or coca derivatives more than once on the same prescription and shall retain every prescription authorizing the use of such drugs.

(e) A licensed chemist shall not serve dangerous medicinal drugs other than coca leaves and coca derivatives more than once on the same prescription, unless it bears a superscription by the approved

practitioner, who prescribed it, stating that it is to be repeated and the intervals of time after which and the number of times (not exceeding three) that is to be repeated. In the absence of such a superscription, the prescription shall be retained by the licensed chemist after it has been served once.

If the prescription bears a superscription as aforesaid, it is to be retained by the licensed chemist only after it has been served three times or the number of times fewer than three mentioned in the prescription, and in the meantime the person serving it shall sign the prescription on every occasion that he serves it and note the date of every such occasion;

Provided that a prescription prescribed by an approved practitioner for his own use shall not in any case be dispensed more than once.

- (f) A licensed chemist shall not serve any prescription presented for repetition before the interval specified in the superscription has elapsed since the prescription was last dispensed.
- (g) A licensed chemist shall keep every prescription on the premises where he dispensed it and shall produce it for inspection to the Collector or any officer deputed for the purpose by the Collector, including an Excise Officer of and above the rank of Sub-Inspector, who

may then destroy it, or shall destroy it himself after a period of two years, if no inspection has been made in the meantime.

- 21.** (a) Every licensed dealer or chemist shall maintain a written record in Form D.D. 3 of all sales of dangerous medical drugs and shall produce it for inspection to the Collector or any officer, including an Excise Officer of or above the rank of Sub-Inspector, deputed by the Collector.
- (b) Every licensed dealer shall file the counterfoils returned to him by the consignees of all passes and indents authorised under R. 23 by virtue of which such drugs have been transmitted by him with this record.
- (c) This record and these passes and indents shall not be destroyed without the written permission of the Collector.

22. Approval, authorisation, licenses and passes.

- (a) The Commissioner of Excise may, for purposes of sub-Cl. (v) of Cl. (a) of R.2, approve any person engaged in medical, dental or veterinary practice.

(b) The District Collector may approve any person possessed of the qualification specified in sub-Cl. (iii) of Cl. (d) of R.2.

23. The Collector may, by general or special order in Form D.D.5, authorize any approved practitioner in charge of a hospital or dispensary to possess and transmit dangerous medicinal drugs in such manner as may be specified in such order.

24. (1) The Collector may grant to any person a dealer's license in Form D.D. 1 permitting him to sell dangerous medicinal drugs otherwise than on prescription and to manufacture medicinal opinion or preparations containing morphine, discetylmorphine or cocaine from materials which he is lawfully entitled to possess.

25. (1) Subject to any directions that the Excise Commissioner may give in this behalf, the officer who has granted a licence to, or, has, by order approved or authorised, any person under these rules, may cancel or suspend such licence or order, -

(i) if such person has -

(a) failed to pay any duty or fee payable by him, or

(b) by himself or by any servant or person acting on his behalf committed any breach of the conditions of such license or order or of these rules, or

(c) been convicted of any offence under the Act, or under the law for the time being in force relating to excise revenue or of any criminal offence, or

(ii) at the will of such officer;

and shall cancel such license order within fifteen days of the receipt of a notice from such person that he desires to surrender the same

(2) When such license or order is cancelled or suspended, such person shall forthwith make over to the Collector all dangerous medicinal drugs then in his possession.

(3) When such license or order is cancelled or suspended no fee paid under these rules will be refunded and no person will be entitled to compensation because of such cancellation or suspension.

26. When a license has been cancelled, suspended or surrendered under R. 25 or the licensee himself has died and a licensee has not been granted to his successor in interest, the person who held the license or the person in

possession of the licensee's stocks shall forthwith make over to the Collector, or any officer deputed by him on his behalf, all dangerous medicinal drugs in his possession.

27. Disposal of drugs and confiscated articles.

The Collector shall cause all dangerous medicinal drugs so surrendered to be examined by the Chemical Examiner or by such other officer as the Excise Commissioner may direct. If any such drugs are certified by such officer to be fit for use the Collector may sell them to any dealer or chemist licensed under these rules or under any corresponding rules for the time being in force any other part of British India or to any person authorised by an order under R. 23 or any corresponding rule in force as aforesaid. The sale-proceeds of such drugs shall be paid to the person whose license has been cancelled or suspended. The Collector may require any licensed dealer or chemist to purchase at such price as the Collector may determine to be ordinarily saleable by him in two months. If any such drugs are certified by the officer aforesaid to be unfit for use the Collector shall cause them to be destroyed.

28. Issue of subsidiary orders.

Subject to the provisions of the Act and of these rules, the Excise Commissioner may, from time to time, give such directions as he may think fit from the purpose of carrying out the provisions of these rules.

29. Appeals.

- (1) An appeal shall lie to the Commissioner of Excise from an order of a Collector under these rules, if presented to the Commissioner of Excise or to the Collector for transmission to the Commissioner of Excise thirty days from the date of the order :

Provided that every memorandum of appeal relating to cancellation, suspension or withdrawal of a licence for the retail sale of opium shall be submitted within 15 days from the date of the order appealed against to the Commissioner of Excise through the Collector against whose order the appeal is made. Such petition of appeal shall invariably be forwarded by the Collector to the Commissioner of Excise within 15 days of its presentation with the original records of the case, if any, and with any observations the officer forwarding it may wish to make thereon. The period for the presentation of appeal shall be counted from the date of the original orders and not from the date of rejection of any subsequent petition for revision.

- (2) A petition of appeal from or for revision of any order shall not be entertained unless it is accompanied by the original order or authenticated copy thereon or the omission to produce such order or copy is explained to

the satisfaction of the authority to whom the petition is made.

30. Exemptions.

All preparations containing not more than 0.2 percent of morphine or 0.1 percent of cocaine and any preparation which the Central Government may, by notification in the "Gazette of India" made the pursuance of a finding under Art. 8 of the Geneva Convention, declare not to be a dangerous medicinal drug, may be transmitted, possessed and sold without restriction.

- 31.** The provisions of Rr. 11, 12, 13 and 18 shall not apply to the importation, exportation, transport, possession or sale of codeine, dionin and their respective salts, unless the quantity involved in any transaction or possessed at any one time exceeds one pound. These rules shall also not apply to compounds of codeine and dionin adopted to normal therapeutic use.

APPENDIX

FORM D.D. 1

[See Rule 24]

**Licence granted to a dealer for the manufacture, possession
and sale otherwise than on prescription of dangerous
medicinal drugs.**

No. of licence

Name and description of the person licensed

His residence

His place of business

The person described above is hereby authorised by the Collector of to manufacture, possess and sell otherwise than on prescription dangerous medicinal drugs from the date of this license to the 31st March, 19 subject to the following conditions:

CONDITIONS

- I.** The licensee shall be bound by the provision of the Dangerous Drugs Act, 1930, the rules made by the Governor of Assam under sub-S. (2) of S. 8 of the Act, and any additional, general or special rules which may be made from time to time.

- II.** This licence extends -
 - (1) to the manufacture of medicinal opium from opium which the licensee is lawfully entitled to possess;

 - (2) to the manufacture of any preparation containing morphine diacetylmorphine or cocaine form morphine, diacetylmorphine or cocaine which the licensee is lawfully entitled to posses; and

 - (3) to the possession and sale otherwise than or prescription of dangerous medicinal drugs.

- III.** The licensee shall not have in his possession at any one time more than -
 - (a) opium derivatives other than prepared opium containing in the aggregate of either morphine or diacetylmorphine or both;

- (b) coca derivatives containing in the aggregate more than
*
- (c) coca leaf up to *
- (d) medicinal hemp up to in the case of
extract and* in the case of tincture;
- (e) any other narcotic substance declared to be a
manufactured drug up to *

He shall obtain his supplied of drugs from a licensed dealer in the Province of Assam or from a dealer licensed under the corresponding rules for the time being in force in any other part of British India or by import in accordance with the Dangerous Drugs (Import, Export and Transshipment) Rules, 1933, or by manufacture from drugs which he is lawfully entitled to possess subject to the provisions of Condition II of this licence. The licensee shall not receive or have in his possession drugs otherwise prepared opium from any part of British India outside the Province of Assam, the licensee first apply to the Collector sating the name and address of the firm form which he wished to purchase the drugs, the description of drugs with their bulk weight and drug contents, and obtain a pass before he indents for the drugs. If the Collector is satisfied that the drugs are required solely for medicinal purposes and that the licensee is authorised to possess the quantity of the drugs required he will grant a pass.

IV. The transmission of dangerous medicinal drugs by inland post by the licensee for medicinal purposes is permitted subject to the following conditions:

- (1) only the parcel post shall be used;
- (2) the parcels shall be insured;
- (3) the parcels be covered by passes which shall, in the case of transmission to a district or frontier tract within the Province of Assam, be issued by the Collector of that district or frontier tract and in other cases by the proper authorities in the Province to which the parcels are addressed ;
- (4) the parcels shall be accompanied by a declaration stating the names of the consignee and the consignor, the contents of the parcels in details, the number and the date of the pass covering the transmission and the number of the licence held by the consignee; and
- (5) the consignee shall show distinctly in his account books the name of the consignor and the quantity of drugs sent to him from time to time by post.

V. The licensee shall not manufacture, possess or sell dangerous medicinal drugs in virtue of this licence at any place except his place of business specified above.

VI. The licensee shall mark every package or bottle containing dangerous medicinal drugs with the percentage or proportion or amount of opium, cannabis indica, morphine, diacetylmorphine, or cocaine contained in the drugs.

VII. (1) The licensee may sell otherwise than on prescription dangerous medicinal drugs only -

(a) to another dealer or chemists licensed under the rules made by the Governor of Assam under sub-s. (2) of s. 8 of the Dangerous Drugs Act, or under the corresponding rules for the time being in force in any part of British India outside the Province of Assam;

(b) to an approved practitioner for use in his practice;

(c) to an approved practitioner in charge of a hospital or dispensary authorised in this behalf by the Collector for use in the hospital or dispensary;

Provided that the drugs shall not be delivered to any person not licensed or otherwise authorised to be in possession of the drugs who purports to be sent by or on behalf of a person so licensed or authorised, unless an authority in

writing signed by the person so licensed or authorised, to receive the drugs on his behalf is produced and unless the licensed dealer is satisfied that the authority is genuine.

- (2) Such drugs shall be sold only in packages or bottles plainly marked with the amount of the drugs in each package or bottle.
- (3) Any preparation, admixture, extract or other substance containing such drugs shall be sold only in packages or bottles, plainly marked -
 - (a) in the case of powders or solutions or ointments, with the total amount thereof in each package or bottle and the percentage of the drugs in the powder, solution or ointment; and
 - (b) in the case of tablets or other articles, with the amount of the drug in each article and the number of articles in each package or bottle.
- (4) The licensee shall not be a party to the transmission of any dangerous medicinal drugs from one licensed dealer's shop to another or to any licensed chemist's shop in the Province of Assam unless it is covered by a pass granted by the Collector of the district or frontier tract to which the transport is made.

- VIII.** The licensee shall, on requisition by the Collector, or any other officer duly authorised by him, deliver up his licence for amendment or for the issue of the fresh licence.
- IX.** The licensee shall maintain true accounts of all transactions in Form D. D. 3 showing in respect of each receipt, the source of supply and the quantities received and in respect of each issue, the quantity issued and the name and address of the person to whom it is issued. The accounts shall show separately the quantity of opium used in the manufacture of medicinal opium and the quantity of morphine, diacetylmorphine or cocaine used in the manufacture or preparation containing morphine, diacetylmorphine or cocaine. Such accounts shall not be destroyed without permission of the Collector.

A separate sheet is to be used for each drug or preparation containing a drug. In cases where opium, cocaine, morphine, etc., are used in the manufacture or preparation containing these drugs the name of the preparation is to be entered in Column 6 and the amount in Column 7, Column 8 remaining blank, the amount of the preparation so manufactured will then be entered in the page devoted to the preparation.

- X.** The licensee shall furnish periodically to the Excise and Revenue Officers such statistic as they may require from time to time.

- XI.** The licensee shall file, in support of his accounts of receipts, the Customs receipts for duty paid, or the invoices of supplied obtained otherwise than by import by sea, and in support of his accounts of issues, a receipt from each person to whom an issue is made or the order on which such issue is made. Accounts of transactions under this licence shall be kept separate from those maintained by him under any other licence. At the end of each month totals should be struck showing separately the issue to (a) licensees including approved practitioners who hold licences, and (b) approved practitioners and others authorised to possess dangerous medicinal drugs.
- XII.** Stocks of dangerous medicinal drugs and all accounts and records of transactions under this licence shall be open to inspection by the Collector or an officer of the Excise Department not below the rank of Sub-Inspector or any other officer deputed by the Collector.
- XIII.** An inspection note-book with pages numbered consecutively shall be maintained for the use of inspecting officers and shall be handed over to the Excise Inspector or Sub-Inspector or other officer of the circle or to any officer authorized by him to receive it on a receipt being given therefore. The book shall be preserved in good condition and handed over to the said Excise Inspector or other officer at the end of the period for which the licence is in force.

XIV. In case of breach of any of the conditions of the licence, the Collector may cancel or suspend the licence or in lieu thereof impose a penalty not exceeding one hundred rupees.

This licence may also be cancelled at will.

XV. The imposition of a penalty or the cancellation or suspension of the licence under the foregoing condition shall not operate as a bar to prosecution for any offence which may have been committed under the Dangerous Drugs Act, 1930.

XVI. If the licensee shall have in his possession on the expiry, cancellation or suspension of his licence, any raw opium or dangerous medicinal drugs he shall deliver them up to the Collector.

XVII. The licensee shall be bound to purchase in such quantity not exceeding that which he is likely to sell in two months, and at such rates as the Collector may direct, any dangerous medicinal drugs that may be delivered up to the Collector by any other licensee whose licence has been expired or has been cancelled or suspended, or which has been surrendered to the Collector for any other cause.

XVIII. All preparation containing not more than 0.2 per cent. of morphine or 0.1 per cent of cocaine and any preparation which the Central Government may, by notification in the Gazette of India made in pursuance of a finding under Art. 8 of the Geneva Convention, declare not to be a manufactured

drug, may be transmitted, possessed and sold without restriction.

- XIX.** Codeine and dionin may be transmitted, possessed or sold without restriction unless the quantity involved in any transaction or possessed at any one time exceeds one pound.

Dated day of 19.

District or Frontier TractCollector

FORM D.D. 2

[See Rules 18 and 24]

License granted to a chemist for the manufacture, possession and sale on prescription of dangerous medicinal drugs

No. of license

Name and description of the person licensed

His residence

The person described above is hereby authorised by the Collector.....ofto manufacture, possess and sell dangerous medicinal drugs on prescription from the date of this license to the 31st day of March, 1948 subject to the following conditions:

CONDITIONS

- I.** The licensee shall be bound by the provisions of the Dangerous Drugs Act, 1930, the rules made by the Governor of Assam under sub-S. (2) of S. 8 of the Dangerous Drugs Act and any additional, general or special rules which may be made from time to time.

- II.** This license extends –

- (1) to the manufacturer of medicinal opium from opium which the licensee is lawfully entitled to possess;
- (2) to the manufacturer of any preparation containing morphine, diacetylmorphine or cocaine from morphine, diacetylmorphine or cocaine which the licensee is lawfully entitled to possess; and
- (3) to the possession and sale on prescription of dangerous medicinal drugs.

III. The licensee shall not have in his possession at any one time –

- (a) opium derivatives other than prepared opium containing in the aggregate more than.....of either morphine or diacetylmorphine or both;
- (b) coca derivatives containing in the aggregate more thanof cocaine;
- (c) medicinal hemp more than.....in the case of extract and.....in the case of tincture;

To be fixed by Collectors according to requirements.

- (d) any other narcotic substance declared to be a manufactured drug more than.....

He shall obtain his supplies of drugs from a licensed dealer in the Province of Assam or from a dealer licensed under the corresponding rules for the time being in force in any other part of British India or by import in accordance with the Dangerous Drugs (Import, Export and Transshipment) Rules, 1983 or by manufacture from drugs which he is lawfully entitled to possess subject to the provisions of Condition II of this license. The licensee shall not receive or have in possession drugs otherwise obtained. In the case of imports of dangerous medicinal drugs from any part of British India outside the Province of Assam, the licensee shall first apply to the Collector stating the name and address of the firm from which he wishes to purchase the drugs, the description of the drugs with their bulk weight and drug contents and obtain a pass before he indents for the drugs. If the Collector is satisfied that the drugs are required solely for the medicinal purposes and that the licensee is authorized to possess the quantity of the drugs required, he will grant a pass.

IV. The transmission of dangerous medicinal drugs by inland post by the licensee for medicinal purposes is permitted subject to the following conditions:

- (1) only the parcel post shall be used;

- (2) the parcels shall be insured;
- (3) the parcels shall be covered by passes which shall, in the case of transmission to a district or frontier tract within the Province of Assam, be issued by the Collector of that district or frontier tract and in other cases by the proper authorities in the Province to which the parcels are addressed;
- (4) 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 number of the license held by the consignee; and
- (5) the consignee shall show distinctly in his account books the name of the consignor and the quantity of drugs sent to him from time to time by post.

V. The licensee shall not manufacture, possess or sell dangerous medicinal drugs in virtue of this license at any place except his place of business specified above.

VI. The licensee shall mark every package or bottle, containing dangerous medicinal drugs with the percentage or proportion or amount of opium, cannabis indica, morphine, diacetylmorphine, or cocaine contained in the drugs.

VII. The licensee may sell dangerous medicinal drugs only on prescription and subject to the following conditions, namely:

- (a) he shall sell the drugs in such quantity and for use of such person only as may be specified in the prescription;
- (b) he shall sell the drugs only once on a prescription, unless it bears a superscription by an approved practitioner stating that it is to be repeated and at what intervals of time and how many times it is to be repeated:

Provided that if it appears that the drugs have already been sold on the prescription three times or such number of times less than three as the prescription is required to be repeated, or that the interval specified in the superscription has not elapsed since it was last dispensed, he shall not sell the drugs on such prescription except on a further superscription in that behalf by an approved practitioner;

Provided further that he shall not in any case dispense more than once a prescription prescribed by an approved practitioner for his own use; and

- (c) he shall, on the first sale on a prescription, take and keep a copy of it, and, on the occasion of each sale

thereon, he shall enter on the prescription the date of the sale and shall also sign and seal it.

VIII. A prescription for the supply of dangerous medicinal drugs shall comply with the following conditions:

- (1) the prescription shall be in writing, shall be dated and signed by the approved practitioner with his full name and address and qualifications and shall specify the name and address of the person for whose use the prescription is given and the total amount of the drugs to be supplied on the prescription; provided that where the medicine to be supplied on the prescription is a preparatory medicine it shall be sufficient to state the amount of the medicine to be supplied;
- (2) a registered dentist shall give a prescription only for the purpose of dental treatment and shall mark it "For local dental treatment only" ; and
- (3) a registered veterinary surgeon shall give a prescription only for the purpose of treatment of animals and shall mark it "For treatment of animals only".

IX. The licensee shall, on requisition by the Collector or any other officer duly authorised by him, deliver up his license for amendment or for the issue of a fresh license.

- X.** The licensee shall maintain true accounts of all transactions in Form D.D. 3 showing in respect of each receipt the source of supply and the quantity received and in respect of each issue the quantity issued, the name and address of the person to whom it is issued and the name of the practitioner on whose prescription it is issued. The account shall show separately the quantity of opium used in the manufacture of medicinal opium and the quantity of morphine, diacetylmorphine or cocaine used in the manufacture of preparations containing morphine, diacetylmorphine or cocaine. Such accounts shall not be destroyed without the written permission of the Collector. Accounts of transactions under this license shall be kept separate from those maintained by him under any other license.

A separate sheet is to be used for each drug or preparation containing a drug. In cases where opium, cocaine, morphine, etc., are used in the manufacture of preparations containing these drugs the name of the preparation is to be entered in column 6 and the amount of preparation so manufactured entered in column 7, column 8 remaining blank. The amount of the preparation so manufacture will then be entered in the page devoted to that preparation

- XI.** The licensee shall furnish periodically to the Excise and Revenue Officers such statistics as they may require from time to time

- XII.** The licensee shall file, in support of his accounts of receipts, the customs receipts for the duty paid or the invoices of supplies obtained otherwise than by import by sea, and, in support of his accounts of issues, copies of the prescriptions on which such issues are made.
- XIII.** Stocks of dangerous medicinal drugs and all accounts and records of transactions under this license shall be open to inspection by an officer of the Excise Department not below the rank of Sub-Inspector.
- XIV.** An inspection note book with pages numbered consecutively shall be maintained for the use of inspecting officers and shall be handed over to the Excise Inspector or Sub-Inspector or the other officer of the Circle or to any officer authorised by him to receive it on a receipt being given therefore. The book shall be preserved in good condition and handed over to the said Excise Inspector or other officer at the end of the period for which the license is in force.
- XV.** In case of breach of any of the conditions of the license, the Collector may cancel or suspend the license or in lieu thereof impose penalty not exceeding one hundred rupees.

The license may also be cancelled at will.

- XVI.** The imposition of a penalty or the cancellation or suspension of the license under the foregoing condition shall not operate

as a bar to prosecution for any offence which may have been committed under the Dangerous Drugs Act. 1930.

- XVII.** If the licensee shall have in his possession on the expiry, cancellation or suspension of his license, any raw opium or dangerous medicinal drugs, he shall deliver them up to the Collector.
- XVIII.** The licensee shall be bound to purchase in such quantity not exceeding that which he is likely to sell in two months, and at such rates as the Collector may direct, any dangerous medicinal drugs that may be delivered up to the Collector by any other licensee whose license has been expired or has been cancelled or suspended, or which have been surrendered to the collector for any other cause.
- XIX.** All preparations containing not more than 0.2 percent. of morphine or 0.1 percent of cocaine and any preparation which the Central Government may by notification in the Gazette of India made in pursuance of a finding under Art. 8 of the Geneva convention declare not to be a manufactured drug, may be imported, exported, transported, possessed and sold without restriction.
- XX.** Codeine and dionin may be imported, exported, transported, possessed or sold without restriction unless the quantity involved in any transaction or possessed at any one time exceeds one pound

Dated theday of19.

District / Frontier TractCollector

FORM D.D. 3

[See Rules 5,6 and 21 (a)]

Form of Accounts to be maintained by approved practitioners,
chemists and dealers for sale of dangerous medicinal drugs

1	2	3	4	5	6	7	8.	9.	10
Date	Balance in hand	Quantity received this day and whence received	Total to be accounted for	Quantity sold this day	Name of purchaser or preparation manufactured	Address of purchaser or amount of preparation	Licensed dealer- Date of indent or Chemist's orders Licensed Chemist - Date of description and name of medical practitioner who granted it	Remaining in store	Remarks
	Oz Gr		Oz	Gr	Oz Gr			Oz Gr	

FORM D.D.4

[See Rule 17]

Counterfoil.....

No.....

Form of Pass for the transmission of

(here enter name of drug)

(To be issued in quadruplicate, one copy being kept as a counterfoil in the office of issue, another too be returned by the consignor to the Collector of the district or frontier tract to which the consignment is sent after noting the details of the drugs consigned on the form on the back of the foil, the third to be sent to the sent to the authority of the exporting district or frontier tract and the fourth to accompany the consignment).

Pass granted to.....to import from/

(here enter name of consignee)

export to/transport from or via.....

(here enter locality and district or frontier tract)

into/from/to.....

(here state district or frontier tract)

dangerous medicinal drugs (other than prepared opium) to be amount ofas specified below:

(here state description and weight or quantity of each kind of drug)
(one ounce equals 437.5 grains avoirdupois)

This pass must be used within one month from the date of its issue.

Duplicate.....No.....

Form of pass for the transmission of.....
(here enter name of drug)

(To be returned by the consignor to the Collector of the district or frontier tract to which the consignment is sent, after noting details of the drugs consigned in the form on the back of this foil).

Pass granted to.....to import
(here enter name of consignee)
from/export to/transport from or
via.....
(here enter locality and district or frontier tract)
into/from/to.....
(here state district or frontier tract)

dangerous medicinal drugs (other than prepared opium) to the amount ofas specified below:
(here state description and weight or quantity of each kind of drug)
(One ounce equals 437.5 grains avoirdupois)

This pass must be used within one month from the date of its issue.

Triplicate.....

No.....

Form of pass for the transmission of.....
(here enter name of drug)

(To be sent to the authority of the exporting district.)

Pass granted to.....to import from/export to/
(here enter name of consignee)

transport from or via.....
(here enter locality and district or frontier tract)

into/from/to.....
(here state district or frontier tract)

dangerous medicinal drugs (other than prepared opium) to the amount ofas specified below:

(here state description and weight or quantity of each kind of drug)
(one ounce equals 437.5 grains avoirdupois)

This pass must be used within one month from the date of its issue.

Quadruplicate.....

No.....

(To accompany the consignment).

Form of pass for the transmission of
(here enter name of drug)

Pass granted to.....to import from/

(here enter name of consignee)

export to/transport from or via.....

(here enter locality and district or frontier tract)

into/from/to.....

(here state district or frontier tract)

dangerous medicinal drugs (other than prepared opium) to the
amount ofas specified below:

(here state description and weight or quantity of each kind of drug)

(One ounce equals 437.5 grains avoirdupois)

This pass must be used within one month from the date of
its issue.

<p>The bulk of the consignment shall not be broken in transit</p>	<p>(here enter district/frontier tract)</p>	<p>The duplicate shall be returned by the consignor after the dispatch of the consignment to the Collector</p>
<p>The bulk of the consignment shall not be broken in transit</p>	<p>(here enter district/frontier tract)</p>	<p>The duplicate shall be returned by the consignor after the dispatch of the consignment to the Collector</p>
<p>The bulk of the consignment shall not be broken in transit</p>	<p>(here enter district/frontier tract)</p>	<p>The duplicate shall be returned by the consignor after the dispatch of the consignment to the Collector</p>
<p>The bulk of the consignment shall not be broken in transit</p>	<p>(here enter district/frontier tract)</p>	<p>The duplicate shall be returned by the consignor after the dispatch of the consignment to the Collector</p>

(Place) (Place)
(Date) Collector (Date) Collector

From overleaf to be filled up, signed and dated by the consignor and this duplicate to be returned to the Collector.

No.....

After enter the kind of drug allowed to be imported/exported/transported):

(1) medicinal hemp, (2) medicinal opium, or (3) morphine diacetylmorphine (official or non-official preparations) as the case may

(Place) (Place)
(Date) Collector (Date) Collector

Form overleaf to be filled up, signed and dated by the consignor before the consignment leaves his premises.

Advice of consignment of dangerous medicinal drugs.

The drugs specified below have this day, the19...., been dispatched by.....(mode of conveyance) in charge ofin.....(state number and description of packages)

Description Quantity or Packages of drugs weight.

be. They should be entered on the license and the duplicate and triplicate copies thereof also.

Details of consignment.....

The drug specified below have this day the19.....been dispatched by(mode of conveyance) in.....(state number and description of packages)

Description Quantity Packages of drugs or weight

Copy forwarded to the (Date) Signature of consignor
for information.

(Place) Signature of Forwarded to the Collector
consignor

FORM D.D. 5

[See Rule 23]

**Order under R. 23 of the rules made by the Governor of Assam
under Sub-S. (2) of S. 8 of the Dangerous Drugs Act, 1930,
authorizing an approved practitioner in managing or
supervising charge of a hospital or dispensary to
possess and transmit dangerous
medicinal drugs**

District or Frontier Tract.....

No. of authorisation in Register.....

Name or designation of approved practitioner.....

Locality.....

.....resident ofan approved
practitioner in managing or, supervising charge of a
hospital/dispensary atis hereby medicinal
purposes only in the said hospital/
dispensary.....from.....to the
31st March, 19.....

It is required of the holder of this order as a condition of its
remaining in force that he duly and faithfully perform and abide by
the following conditions:

- I. That he do not transfer this order to any other person.

- II.** That he use dangerous medicinal drugs for medicinal purposes only and only in the premises for which this order is granted and that he do not use dangerous medicinal drugs in any other place without a separate order.
- III.** That he do not sell dangerous medicinal drugs to any one.
- IV.** That he do not obtain dangerous medicinal drugs from a licensed chemist on his own prescription, but that he obtain all dangerous medicinal drugs to be possessed under this order from a dealer licensed under the rules made by the Governor of Assam under sub-S (2) of S.8 of the Dangerous Drugs Act or under corresponding rules for the time being in force in any part of British India outside Assam.
- V.** That if he desire to import or transmit dangerous medicinal drugs from any place in British India to the premises named herein he obtain on each occasion on which he desires so to import or transport dangerous medicinal drugs the counter-signature of the civil Surgeon/Superintendent of the Civil Veterinary Department on his indent for the same.
- VI.** That he do not store any dangerous medicinal drugs to be used under this order in any premises other than those named herein.
- VII.** That he keep an account of all dangerous medicinal drugs received and used by him that he at all times afford facility

for the inspection of such account and of his stock of dangerous medicinal drugs by the Collector, the Civil Surgeon, the Superintendent of Excise or any officer authorized by the Collector or the Civil Surgeon, to inspect the same.

The account is to be kept in Form D.D. 3, a separate sheet being used for each dangerous medicinal drug.

Collectorate of.....

The 19.....

Collector
