

# THE DANGEROUS DRUGS ACT, 1930.

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# ACT No. II OF 1930.

[PASSED BY THE INDIAN LEGISLATURE.]

(Received the assent of the Governor General on the 1st  
March, 1930.)

**An Act to centralise and vest in the Governor General in Council the control over certain operations relating to dangerous drugs and to increase and render uniform throughout British India the penalties for offences relating to such operations.**

WHEREAS India participated in the Second International Opium Conference, which was convoked in accordance with the resolution of the Assembly of the League of Nations dated the 27th day of September, 1923, met at Geneva on the 17th day of November, 1924, and on the 19th day of February, 1925, adopted the Convention relating to Dangerous Drugs (hereinafter referred to as the Geneva Convention);

AND WHEREAS India was a State signatory to the said Geneva Convention;

AND WHEREAS the Contracting Parties to the said Geneva Convention resolved to take further measures to suppress the contraband traffic in and abuse of Dangerous Drugs, especially those derived from opium, Indian hemp and coca leaf, such measures being more particularly set forth in the Articles of the said Geneva Convention;

AND WHEREAS for the effective carrying out of the said measures it is expedient that the control of certain operations relating to Dangerous Drugs should be centralised and vested in the Governor General in Council;

AND WHEREAS it is also expedient that the penalties for certain offences relating to Dangerous Drugs should be increased, and that all penalties relating to certain operations should be rendered uniform throughout British India;

It is hereby enacted as follows:—

## CHAPTER I.

### PRELIMINARY.

1. (1) This Act may be called the Dangerous Drugs Act, 1930.

Short title,  
extent and  
commence-  
ment.

(2) It

(Chapter I.—Preliminary.)

(2) It extends to the whole of British India, including British Baluchistan and the Sonthal Parganas.

(3) It shall come into force on such date as the Governor General in Council may, by notification in the Gazette of India, appoint.

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context,—

(a) "coca leaf" means—

(i) the leaf and young twigs of any coca plant, that is, of the *Erythroxylon coca* (Lamk.) and the *Erythroxylon novo-granatense* (Hiern.) and their varieties, and of any other species of this genus which the Governor General in Council may, by notification in the Gazette of India, declare to be coca plants for the purposes of this Act; and

(ii) any mixture thereof, with or without neutral materials;

but does not include any preparation containing not more than 0.1 per cent. of cocaine;

(b) "coca derivative" means—

(i) crude cocaine, that is, any extract of coca leaf which can be used, directly or indirectly, for the manufacture of cocaine;

(ii) ecgonine, that is, lævo-ecgonine having the chemical formula  $C_9H_{15}NO_3 \cdot H_2O$ , and all the derivatives of lævo-ecgonine from which it can be recovered;

(iii) cocaine, that is, methyl-benzoyl-lævo-ecgonine having the chemical formula  $C_{17}H_{21}NO_4$ , and its salts; and

(iv) all preparations, official and non-official, containing more than 0.1 per cent. of cocaine;

(c) "hemp" means—

(i) the leaves, small stalks and flowering or fruiting tops of the Indian hemp plant (*Cannabis sativa* L.), including all forms known as *bhāng*, *siddhi*, or *ganja*;

(ii) *charas*,

## (Chapter I.—Preliminary.)

- (ii) *charas*, that is, the resin obtained from the Indian hemp plant, which has not been submitted to any manipulations other than those necessary for packing and transport; and
- (iii) any mixture, with or without neutral materials, of any of the above forms of hemp or any drink prepared therefrom;
- (d) " medicinal hemp " means any extract or tincture of hemp;
- (e) " opium " means—
  - (i) the capsules of the poppy (*Papaver somniferum* L.);
  - (ii) the spontaneously coagulated juice of such capsules which has not been submitted to any manipulations other than those necessary for packing and transport; and
  - (iii) any mixture, with or without neutral materials, of any of the above forms of opium;  
but does not include any preparation containing not more than 0.2 per cent. of morphine;
- (f) " opium derivative " means—
  - (i) medicinal opium, that is, opium which has undergone the processes necessary to adapt it for medicinal use in accordance with the requirements of the British Pharmacopœia, whether in powder form or granulated or otherwise or mixed with neutral materials;
  - (ii) prepared opium, that is, any product of opium obtained by any series of operations designed to transform opium into an extract suitable for smoking, and the dross or other residue remaining after opium is smoked;
  - (iii) morphine, that is, the principal alkaloid of opium having the chemical formula  $C_{17}H_{19}NO_3$ , and its salts;
  - (iv) diacetylmorphine, that is, the alkaloid, also known as diamorphine or heroin, having the chemical formula  $C_{21}H_{23}NO_5$ , and its salts; and
  - (v) all

*(Chapter I.—Preliminary.)*

- (v) all preparations, officinal and non-official, containing more than 0·2 per cent. of morphine, or containing any diacetylmorphine;
- (g) “manufactured drug” includes—
- (i) all coca derivatives, medicinal hemp and opium derivatives; and
- (ii) any other narcotic substance which the Governor General in Council may, by notification in the Gazette of India made in pursuance of a recommendation under Article 10 of the Geneva Convention, declare to be a manufactured drug;
- but does not include any preparation which the Governor General in Council may, by notification in the Gazette of India made in pursuance of a finding under Article 8 of the Geneva Convention, declare not to be a manufactured drug;
- (h) “dangerous drug” includes coca leaf, hemp and opium, and all manufactured drugs;
- (i) “to import into British India” means, subject to the provisions of clause (j), to bring into British India by land, sea or air;
- (j) “to import inter-provincially” means to bring into one province from another, and includes—
- (i) the bringing of a dangerous drug into a province from any territory of a Prince or Chief in India which is adjacent to or enclosed by the territories of such province, which the Governor General in Council may, by notification in the Gazette of India, declare to be inter-provincial import; and
- (ii) bringing into one province from another, in the course of a continuous journey, by sea or through the territory of a Prince or Chief in India;
- (k) “to export from British India” means, subject to the provisions of clause (l), to take out of British India by land, sea or air;
- (l) “to export inter-provincially” means to take out of one province into another, and includes—
- (i) the taking of a dangerous drug out of a province into any territory of a Prince or Chief in India  
which

*(Chapter I.—Preliminary. Chapter II.—Prohibition and Control.)*

which is adjacent to or enclosed by the territories of such province, which the Governor General in Council may, by notification in the Gazette of India, declare to be inter-provincial export; and

- (ii) taking out of one province into another, in the course of a continuous journey, by sea or through the territories of a Prince or Chief in India;
- (m) "to transport" means to take from one place to another in the same province; and
- (n) "territory of a Prince or Chief in India" includes any territory in which the Governor General in Council exercises powers or jurisdiction by virtue of the Indian (Foreign Jurisdiction) Order in Council, 1902.

3. The Governor General in Council may make rules prescribing the method by which percentages in the case of liquid preparations shall be calculated for the purposes of clauses (a), (b), (e) and (f) of section 2:

Calculation of percentages in liquid preparations.

Provided that, unless and until such rules are made such percentages shall be calculated on the basis that a preparation containing one per cent. of a substance means a preparation in which one gramme of the substance, if a solid, or one millilitre of the substance, if a liquid, is contained in every one hundred millilitres of the preparation, and so in proportion for any greater or less percentage.

CHAPTER II.

PROHIBITION AND CONTROL.

4. No one shall—

- (a) cultivate any coca plant, or gather any portion of a coca plant,
- (b) manufacture or possess prepared opium, unless it is prepared from opium lawfully possessed for the consumption of the person so possessing it, or
- (c) import into British India, export from British India, tranship or sell prepared opium:

Prohibition of certain operations.

Provided that this section shall not apply to the cultivation of any coca plant or to the gathering of any portion thereof on behalf of Government.

5. (1) No

(Chapter II.—Prohibition and Control.)

Control of  
Governor  
General in  
Council over  
production  
and supply of  
opium.

5. (1) No one shall—

- (a) cultivate the poppy (*Papaver somniferum L.*), or
- (b) manufacture opium,

save in accordance with rules made under sub-section (2) and with the conditions of any licence for that purpose which he may be required to obtain under those rules.

(2) The Governor General in Council may make rules permitting and regulating the cultivation of the poppy (*Papaver somniferum L.*) and the manufacture of opium, and such rules may prescribe the form and conditions of licences for such cultivation and manufacture, the authorities by which such licences may be granted, the fees that may be charged therefor, and any other matter requisite to render effective the control of the Governor General in Council over such cultivation and manufacture.

(3) The Governor General in Council may also make rules permitting and regulating the sale of opium from Government factories for export or to Local Governments or to manufacturing chemists.

Control of  
Governor  
General in  
Council over  
manufacture  
of manufactured  
drugs.

6. (1) No one shall manufacture any manufactured drug, other than prepared opium, save in accordance with rules made under sub-section (2) and with the conditions of any licence for that purpose which he may be required to obtain under those rules.

(2) The Governor General in Council may make rules permitting and regulating the manufacture of manufactured drugs, other than prepared opium, and such rules may prescribe the form and conditions of licences for such manufacture, the authorities by which such licences may be granted and the fees that may be charged therefor, and any other matter requisite to render effective the control of the Governor General in Council over such manufacture.

(3) Nothing in this section shall apply to the manufacture of medicinal opium or of preparations containing morphine, diacetylmorphine or cocaine from materials which the maker is lawfully entitled to possess.

Control of  
Governor  
General in  
Council over  
operations  
at land and  
sea frontiers.

7. (1) No one shall—

- (a) import into British India,
- (b) export from British India, or
- (c) tranship

any



any dangerous drug, other than prepared opium, save in accordance with rules made under sub-section (2) and with the conditions of any licence for that purpose which he may be required to obtain under those rules.

(2) The Governor General in Council may make rules permitting and regulating the import into and export from British India and the transshipment of dangerous drugs, other than prepared opium, and such rules may prescribe the ports or places at which any kind of dangerous drug may be imported, exported or transhipped, the form and conditions of licences for such import, export or transshipment, the authorities by which such licences may be granted, the fees that may be charged therefor, and any other matter requisite to render effective the control of the Governor General in Council over such import, export and transshipment.

8. (1) No one shall—

(a) import or export inter-provincially, transport, possess or sell any manufactured drug, other than prepared opium, or coca leaf, or

Control of  
Local Govern-  
ment over  
internal traffic  
in manufac-  
tured drugs  
and cocoa leaf.

(b) manufacture medicinal opium or any preparation containing morphine, diacetylmorphine or cocaine,

save in accordance with rules made under sub-section (2) and with the conditions of any licence for that purpose which he may be required to obtain under those rules.

(2) The Local Government may, subject to the control of the Governor General in Council, make rules permitting and regulating—

(a) the inter-provincial import and export into and from the territories under its administration, the transport, possession and sale of manufactured drugs, other than prepared opium, and of coca leaf; and

(b) the manufacture of medicinal opium or of any preparation containing morphine, diacetylmorphine or cocaine from materials which the maker is lawfully entitled to possess.

Such rules may prescribe the form and conditions of licences for such import, export, transport, possession, sale and manufacture, the authorities by which such licences may be granted and the fees that may be charged therefor, and any

other

(Chapter II.—Prohibition and Control. Chapter III.—  
Offences and Penalties.)

other matters requisite to render effective the control of the Local Government over such import, export, transport, possession, sale and manufacture.

(3) Save in so far as may be expressly provided in rules made under sub-section (2), nothing in this section shall apply to manufactured drugs which are the property and in the possession of Government:

Provided that such drugs shall not be sold or otherwise delivered to any person who, under the rules made by the Local Government under this section, is not entitled to their possession.

9. No one shall engage in or control any trade whereby a dangerous drug is obtained outside British India and supplied to any person outside British India, save in accordance with the conditions of a licence granted by and at the discretion of the Local Government.

Control of Local Government over external dealings in dangerous drugs.

### CHAPTER III.

#### OFFENCES AND PENALTIES.

10. Whoever—

- (a) cultivates any coca plant or gathers any portion of a coca plant,
- (b) manufactures or possesses prepared opium otherwise than as permitted under section 4, or
- (c) imports into British India, exports from British India, tranships or sells prepared opium,

shall be punished with imprisonment which may extend to two years, or with fine, or with both:

Provided that this section shall not apply to the cultivation of any coca plant or to the gathering of any portion thereof on behalf of Government.

11. Whoever, in contravention of section 5, or any rule made under that section, or of any condition of a licence granted thereunder,

- (a) cultivates the poppy, or
- (b) manufactures opium,

shall be punished with imprisonment which may extend to two years, or with fine, or with both.

12. Whoever

Punishment for contravention of section 4.

Punishment for contravention of section 5.

*(Chapter III.—Offences and Penalties.)*

12. Whoever, in contravention of section 6, or any rule made under that section, or any condition of a licence granted thereunder, manufactures any manufactured drug, shall be punished with imprisonment which may extend to two years, or with fine, or with both.

Punishment for  
contravention  
of section 6.

13. Whoever, in contravention of section 7, or any rule made under that section, or any condition of a licence granted thereunder,

Punishment for  
contravention  
of section 7.

- (a) imports into British India,
- (b) exports from British India, or
- (c) tranships

any dangerous drug, shall be punished with imprisonment which may extend to two years, or with fine, or with both.

14. Whoever, in contravention of section 8, or any rule made under that section, or any condition of a licence issued thereunder,

Punishment for  
contravention  
of section 8.

- (a) imports or exports inter-provincially, transports, possesses or sells any manufactured drug or coca leaf, or

- (b) manufactures medicinal opium or any preparations containing morphine, diacetylmorphine or cocaine,

shall be punished with imprisonment which may extend to two years, or with fine, or with both.

15. Whoever, being the owner or occupier or having the use of any house, room, enclosure, space, vessel, vehicle, or place, knowingly permits it to be used for the commission by any other person of an offence punishable under section 10, section 12, section 13, or section 14, shall be punished with imprisonment which may extend to two years, or with fine, or with both.

Punishment for  
allowing premises to be  
used for the  
commission of  
an offence.

16. Whoever, having been convicted of an offence punishable under section 10, section 12, section 13, or section 14, is guilty of any offence punishable under any of those sections, shall be subject for every such subsequent offence to imprisonment which may extend to four years, or to fine, or to both.

Enhanced  
punishment  
for certain  
offences  
after previous  
conviction.

17. Whoever, having been convicted of an offence punishable under section 15, is again guilty of an offence punishable under that section, shall be subject for every such subsequent

Enhanced  
punishment for  
offence under  
section 15 after  
previous con-  
viction.

offence

*(Chapter III.—Offences and Penalties.)*

offence to imprisonment which may extend to four years, or to fine, or to both.

Security for abstaining from commission of certain offences.

18. (1) Whenever any person is convicted of an offence punishable under section 10, section 12, section 13, or section 14, and the Court convicting him is of opinion that it is necessary to require such person to execute a bond for abstaining from the commission of offences punishable under those sections, the Court may, at the time of passing sentence on such person, order him to execute a bond for a sum proportionate to his means, with or without sureties, for abstaining from the commission of such offences during such period, not exceeding three years, as it thinks fit to fix.

(2) The bond shall be in the form contained in Schedule I, and the provisions of the Code of Criminal Procedure, 1898, V of 1898, shall, in so far as they are applicable, apply to all matters connected with such bond as if it were a bond to keep the peace ordered to be executed under section 106 of that Code.

(3) If the conviction is set aside on appeal or otherwise, the bond so executed shall become void.

(4) An order under this section may also be made by an appellate Court, or by the High Court when exercising its powers of revision.

Penalty for contravention of section 9.

19. Whoever engages in or controls any trade whereby a dangerous drug is obtained outside British India and supplied to any person outside British India, otherwise than in accordance with the conditions of a licence granted under section 9, shall be punished with fine which may extend to one thousand rupees.

Attempts.

20. Whoever attempts to commit an offence punishable under this Chapter, or to cause such an offence to be committed, and in such attempt does any act towards the commission of the offence, shall be punished with the punishment provided for the offence.

Abetments.

21. (1) Whoever abets an offence punishable under this Chapter shall, whether such offence be or be not committed in consequence of such abetment, and notwithstanding anything contained in section 116 of the Indian Penal Code, be punished XLV of 1860, with the punishment provided for the offence.

(2) A person

*(Chapter III.—Offences and Penalties. Chapter IV.—  
Procedure.)*

(2) A person abets an offence within the meaning of this section who, in British India, abets the commission of any act in a place without and beyond British India which—

- (a) would constitute an offence if committed within British India; or
- (b) under the laws of such place, is an offence relating to dangerous drugs having all the legal conditions required to constitute it such an offence the same as or analogous to the legal conditions required to constitute it an offence punishable under this Chapter, if committed within British India.

## CHAPTER IV.

## PROCEDURE.

22. (1) The Collector, or other officer authorised by the Local Government in this behalf, or a Presidency Magistrate or a Magistrate of the first class, or a Magistrate of the second class specially empowered by the Local Government in this behalf, may issue a warrant for the arrest of any person whom he has reason to believe to have committed an offence punishable under Chapter III, or for the search, whether by day or by night, of any building, vessel or place in which he has reason to believe any dangerous drug in respect of which an offence punishable under Chapter III has been committed is kept or concealed.

Power to issue warrants.

(2) The officer to whom a search warrant under sub-section (1) is addressed shall have all the powers of an officer acting under section 23.

23. (1) Any officer of the department of Excise, Police, Customs, Salt, Opium, or Revenue, superior in rank to a peon or constable, authorised in this behalf by the Local Government, who has reason to believe, from personal knowledge or from information given by any person and taken down in writing, that any dangerous drug in respect of which an offence punishable under Chapter III has been committed is kept or concealed in any building, vessel or enclosed place, may, between sunrise and sunset,—

Power of entry, search, seizure and arrest without warrant.

- (a) enter into any such building, vessel or place;
- (b) in case of resistance, break open any door and remove any other obstacle to such entry;

(c) seize

*(Chapter IV.—Procedure.)*

- (c) seize such drug and all materials used in the manufacture thereof and any other article which he has reason to believe to be liable to confiscation under section 33 and any document or other article which he has reason to believe may furnish evidence of the commission of an offence punishable under Chapter III relating to such drug; and
- (d) detain and search, and, if he think proper, arrest any person whom he has reason to believe to have committed an offence punishable under Chapter III relating to such drug:

Provided that if such officer has reason to believe that a search warrant cannot be obtained without affording opportunity for the concealment of evidence or facility for the escape of an offender, he may enter and search such building, vessel or enclosed place at any time between sunset and sunrise, after recording the grounds of his belief.

(2) Where an officer takes down any information in writing under sub-section (1), or records grounds for his belief under the proviso thereto, he shall forthwith send a copy thereof to his immediate official superior.

Power of seizure and arrest in public places.

24. Any officer of any of the departments mentioned in section 23 may—

- (a) seize, in any public place or in transit, any dangerous drug in respect of which he has reason to believe an offence punishable under Chapter III has been committed, and, along with such drug, any other article liable to confiscation under section 33, and any document or other article which he has reason to believe may furnish evidence of the commission of an offence punishable under Chapter III relating to such drug;
- (b) detain and search any person whom he has reason to believe to have committed an offence punishable under Chapter III, and, if such person has any dangerous drug in his possession and such possession appears to him to be unlawful, arrest him and any other persons in his company.

Mode of making searches and arrests.

25. The provisions of the Code of Criminal Procedure, 1898, shall apply, in so far as they are not inconsistent with V of 1898.

the

the provisions of sections 22, 23 and 24, to all warrants issued and arrests and searches made under those sections.

26. All officers of the several departments mentioned in section 23 shall, upon notice given or request made, be legally bound to assist each other in carrying out the provisions of this Act.

Obligations on officers to assist each other.

27. Whenever any person makes any arrest or seizure under this Act, he shall, within forty-eight hours next after such arrest or seizure, make a full report of all the particulars of such arrest or seizure to his immediate official superior.

Report of arrests and seizures.

28. Any person empowered under section 23 or section 24 who—

Punishment for vexatious entry, search, seizure or arrest.

- (a) without reasonable grounds of suspicion, enters or searches, or causes to be entered or searched, any building, vessel or place;
- (b) vexatiously and unnecessarily seizes the property of any person on the pretence of seizing or searching for any dangerous drug or other article liable to be confiscated under section 33, or of seizing any document or other article liable to seizure under section 23 or section 24; or
- (c) vexatiously and unnecessarily detains, searches or arrests any person,

shall be punished with fine which may extend to five hundred rupees.

29. (1) Every person arrested and article seized under a warrant issued under section 22 shall be forwarded without delay to the authority by whom the warrant was issued; and every person arrested and article seized under section 23 or section 24 shall be forwarded without delay to the officer in charge of the nearest police station or to the nearest officer of the Excise Department empowered under section 30.

Disposal of persons arrested and of articles seized.

(2) The authority or officer to whom any person or article is forwarded under this section shall, with all convenient despatch, take such measures as may be necessary for the disposal according to law of such person or article.

30. The Local Government may invest any officer of the Excise Department or any class of such officers, with the powers of an officer in charge of a police station for the investigation of offences under this Act.

Power to invest Excise officers with powers of an officer in charge of a police station.

31. No

15

*Dangerous Drugs.* [ACT II  
(Chapter IV.—Procedure.)

Jurisdiction to try offences.

31. No Magistrate shall try an offence under this Act unless he is a Presidency Magistrate or a Magistrate of the first class, or a Magistrate of the second class specially empowered by the Local Government in this behalf.

Presumption from possession of illicit articles.

32. In trials under this Act it may be presumed, unless and until the contrary is proved, that the accused has committed an offence under Chapter III in respect of—

- (a) any dangerous drug;
- (b) any poppy or coca plant growing on any land which he has cultivated;
- (c) any apparatus specially designed or any group of utensils specially adapted for the manufacture of any dangerous drug; or
- (d) any materials which have undergone any process towards the manufacture of a dangerous drug, or any residue left of the materials from which a dangerous drug has been manufactured,

for the possession of which he fails to account satisfactorily.

Liability of illicit articles to confiscation.

33. (1) Whenever any offence has been committed which is punishable under Chapter III, the dangerous drug, materials, apparatus and utensils in respect of which or by means of which such offence has been committed, shall be liable to confiscation.

(2) Any dangerous drug lawfully imported, transported, manufactured, possessed, or sold along with, or in addition to, any dangerous drug which is liable to confiscation under sub-section (1), and the receptacles, packages and coverings in which any dangerous drug, materials, apparatus or utensils liable to confiscation under sub-section (1) is found, and the other contents, if any, of such receptacles or packages, and the animals, vehicles, vessels and other conveyances used in carrying the same, shall likewise be liable to confiscation:

Provided that no animal, vehicle, vessel or other conveyance shall be liable to confiscation unless it is proved that the owner thereof knew that the offence was being, or was to be or was likely to be, committed.

Procedure in making confiscations.

34. (1) In the trial of offences under this Act, whether the accused is convicted or acquitted, the Court shall decide whether any article seized under this Chapter is liable to confisca-

tion



*(Chapter IV.—Procedure. Chapter V.—Miscellaneous.)*

tion under section 33; and, if it decides that the article is so liable, it may order confiscation accordingly.

(2) Where any article seized under this Chapter appears to be liable to confiscation under section 33, but the person who committed the offence in connection therewith is not known or cannot be found, the Collector or other officer authorised by the Local Government in this behalf, may inquire into and decide such liability, and may order confiscation accordingly:

Provided that no order of confiscation of an article shall be made until the expiry of one month from the date of seizure, or without hearing any person who may claim any right thereto and the evidence, if any, which he produces in respect of his claim:

Provided, further, that, if any such article, other than a dangerous drug, is liable to speedy and natural decay, or if the Collector or other officer is of opinion that its sale would be for the benefit of its owner, he may at any time direct it to be sold; and the provisions of this sub-section shall, as nearly as may be practicable, apply to the net proceeds of the sale.

(3) Any person not convicted who claims any right to property which has been confiscated under this section may appeal to the Court of Session against the order of confiscation.

**35.** The Governor General in Council may make rules to regulate—

- (a) the disposal of all articles confiscated under this Act; and
- (b) the rewards to be paid to officers, informers and other persons out of the proceeds of fines and confiscations under this Act.

Power to make rules regulating disposal of confiscated articles and rewards.

## CHAPTER V.

### MISCELLANEOUS.

**36.** (1) All rules made under this Act shall be subject to the condition of previous publication.

Provisions regarding rules.

(2) Rules made by the Governor General in Council shall be published in the Gazette of India, and rules made by a Local Government shall be published in the local official Gazette or, where there is no local official Gazette, in the Gazette of India.

(3) Rules

*(Chapter V.—Miscellaneous.)*

(3) Rules made by a Local Government shall not be inconsistent with any rules made by the Governor General in Council, and shall be void to the extent of any such inconsistency.

Recovery of sums due to Government.

37. (1) Any arrear of any licence fee chargeable by any rule made under this Act may be recovered from the person primarily liable to pay the same or from his surety (if any) as if it were an arrear of land-revenue.

(2) When any person, in compliance with any rule made under this Act, gives a bond (other than a bond under section 18) for the performance of any act, or for his abstention from any act, such performance or abstention shall be deemed to be a public duty, within the meaning of section 74 of the Indian Contract Act, 1872; and, upon breach of the conditions of such bond by him, the whole sum named therein as the amount to be paid in case of such breach may be recovered from him or from his surety (if any) as if it were an arrear of land-revenue. IX of 1872.

Application of the Sea Customs Act, 1878.

38. All prohibitions and restrictions imposed by or under this Act on the import into British India, the export from British India, and the transshipment of dangerous drugs, shall be deemed to be prohibitions and restrictions imposed under section 19 or section 134 of the Sea Customs Act, 1878, and the provisions of that Act shall apply accordingly: VIII of 1878.

Provided that, where the doing of any thing is an offence punishable under that Act and under this Act, nothing in that Act or in this section shall prevent the offender from being punished under this Act.

Saving of local and special laws.

39. (1) Nothing in this Act or in the rules made thereunder shall affect the validity of any enactment of a local Legislature for the time being in force, or of any rule made thereunder, which imposes any restriction not imposed by or under this Act, or imposes a restriction greater in degree than a corresponding restriction imposed by or under this Act, on the consumption of or traffic in any dangerous drug within British India.

(2) Nothing in this Act or in the rules made thereunder shall affect the validity of the Opium Act, 1857: XIII of 1857.

Provided that, where the doing of any thing is an offence punishable under that Act and under this Act, nothing in that Act or in this sub-section shall prevent the offender from being punished under this Act.

40. The

*(Chapter V.—Miscellaneous. Schedule I.)*

40. The enactments specified in the first three columns of Schedule II are hereby amended to the extent and in the manner mentioned in the fourth column thereof.

Amendment  
of certain  
enactments.

41. When anything done under any enactment specified in the first three columns of Schedule II is in force immediately prior to the commencement of this Act, it shall be deemed, as from the commencement of this Act, to have been done under this Act or under that enactment as hereby amended, as the case may require.

Saving of  
things already  
done.

SCHEDULE I.

BOND TO ABSTAIN FROM THE COMMISSION OF OFFENCES UNDER THE DANGEROUS DRUGS ACT, 1930.

*(See section 18.)*

Whereas I (*name*), inhabitant of (*place*), have been called upon to enter into a bond to abstain from the commission of offences under section 10, section 12, section 13 and section 14 of the Dangerous Drugs Act, 1930, for the term of , I hereby bind myself not to commit any such offence during the said term and, in case of my making default therein, I hereby bind myself to forfeit to His Majesty the King, Emperor of India, the sum of rupees

Dated this                      day of                      19 .

*(Signature.)*

*(Where a bond with sureties is to be executed, add—)*

We do hereby declare ourselves sureties for the above-named                      that he will abstain from the commission of offences under section 10, section 12, section 13 and section 14 of the Dangerous Drugs Act, 1930, during the said term; and, in case of his making default therein, we bind ourselves, jointly and severally, to forfeit to His Majesty the King, Emperor of India, the sum of rupees

Dated this                      day of                      19 .

*(Signatures.)*

SCHEDULE II

(Schedule II.—Amendments of local Acts.)

SCHEDULE II.

AMENDMENTS OF LOCAL ACTS.

(See section 40.)

Acts of the Governor General in Council.

Year.	No.	Short title.	Amendments.
1878	I	The Opium Act, 1878	<p>In section 3,—</p> <p>(a) for the definition of "opium" the following definition shall be substituted, namely :—</p> <p>" 'opium' means—</p> <p>(i) the capsules of the poppy (<i>Papaver somniferum L.</i>);</p> <p>(ii) the spontaneously coagulated juice of such capsules which has not been submitted to any manipulations other than those necessary for packing and transport; and</p> <p>(iii) any mixture, with or without neutral materials, of any of the above forms of opium,</p> <p>but does not include any preparation containing not more than 0.2 per cent. of morphine, or a manufactured drug as defined in section 2 of the Dangerous Drugs Act, 1930"; and</p> <p>(b) for the definitions of "import" and "export" the following definitions shall be substituted, namely :—</p> <p>" 'import' means to import inter-provincially, as defined in clause (j) of section 2 of the Dangerous Drugs Act, 1930;</p> <p>'export' means to export inter-provincially, as defined in clause (l) of section 2 of the Dangerous Drugs Act, 1930; and "</p> <p>In section 4,—</p> <p>(a) clauses (a) and (b) shall be omitted; and</p> <p>(b) clauses (c), (d), (e) and (f) shall be re-lettered as clauses (a), (b), (c) and (d), respectively.</p>

## Acts of the Governor General in Council—contd.

Year.	No.	Short title.	Amendments.
1878	I	The Opium Act, 1878 —contd.	<p>In section 5,—</p> <p>(a) clauses (a) and (b) shall be omitted ;</p> <p>(b) clauses (c), (d), (e) and (f) shall be re-lettered as clauses (a), (b), (c) and (d), respectively ; and</p> <p>(c) in the proviso, for the word and figure "section 6" the words and figures "the Dangerous Drugs Act, 1930" shall be substituted.</p> <p>Section 6 shall be omitted.</p> <p>In section 9,—</p> <p>(a) clauses (a) and (b) shall be omitted ; and</p> <p>(b) clauses (c), (d), (e), (f) and (g) shall be re-lettered as clauses (a), (b), (c), (d) and (e), respectively.</p> <p>In section 11,—</p> <p>(a) clause (a) shall be omitted ;</p> <p>(b) in clause (c), for the word, brackets and letters "(d) or (e)" the word, brackets and letters "(b) or (c)" shall be substituted ;</p> <p>(c) in clause (d), for the letter and brackets "(f)" the letter and brackets "(d)" shall be substituted ; and</p> <p>(d) clause (b), and clauses (c) and (d) as so amended, shall be re-lettered as clauses (a), (b) and (c), respectively.</p> <p>In section 14,—</p> <p>(a) the word "manufactured," shall be omitted ; and</p> <p>(b) in clause (c), the words "and all materials used in the manufacture thereof" shall be omitted.</p> <p>Section 22 shall be omitted.</p>
1898	VI	The Indian Post Office Act, 1898.	<p>In section 25, after the words "any specified description" the words "or where the import or export into or from British India of goods of any specified description has been prohibited or restricted by or under any other enactment for the time being in force" shall be inserted.</p>

(Schedule II.—Amendments of local Acts.)

Regulation by the Governor General in Council.

Year.	No.	Short title.	Amendments.
1915	1	The Excise Regulation, 1915.	<p>In section 2,—</p> <p>(a) for the definition of “export” in clause (8), the following definition shall be substituted, namely :—</p> <p>“ (8) ‘export’ means to take out of the province :</p> <p>Provided that, in the case of intoxicating drugs specified in sub-clauses (i), (ii) and (iii) of clause (II), it means to export inter-provincially, as defined in clause (l) of section 2 of the Dangerous Drugs Act, 1930 ” ;</p> <p>(b) the definition of “hemp plant” in clause (9) shall be omitted ;</p> <p>(c) for the definition of “import” in clause (10), the following definition shall be substituted, namely :—</p> <p>“ (10) ‘import’ means to bring into the province :</p> <p>Provided that, in the case of intoxicating drugs specified in sub-clauses (i), (ii) and (iii) of clause (II), it means to import inter-provincially, as defined in clause (j) of section 2 of the Dangerous Drugs Act, 1930 ” ;</p> <p>(d) for the definition of “intoxicating drug” in clause (11), the following definition shall be substituted, namely :—</p> <p>“ (11) ‘intoxicating drug’ means—</p> <p>(i) the leaves, small stalks and flowering or fruiting tops of the Indian hemp plant (<i>Cannabis sativa L.</i>), including all forms known as <i>bhanga</i>, <i>siddhi</i>, or <i>ganja</i> ;</p> <p>(ii) <i>charas</i>, that is, the resin obtained from the Indian hemp plant, which has not been submitted to any manipulations other than those necessary for packing and transport ;</p> <p>(iii) any mixture, with or without neutral materials, of any of the above forms of hemp or any drink prepared therefrom ; and</p>

(iv) any

## (Schedule II.—Amendments of local Acts.)

## Regulation by the Governor General in Council—contd.

Year.	No.	Short title.	Amendments.
1915	I	The Excise Regulation, 1915— <i>contd.</i>	<p>(iv) any other intoxicating or narcotic substance which the Chief Commissioner may, by notification, declare to be an intoxicating drug, such substance not being opium, coca leaf, or a manufactured drug, as defined in section 2 of the Dangerous Drugs Act, 1930 ;”</p> <p>(e) for the definition of “transport” in clause (19), the following definition shall be substituted, namely :—</p> <p>“(19) ‘transport’ means to move from one place to another within the province ; provided that import and export from British Baluchistan from and to the territories administered by the Agent to the Governor General in Baluchistan as such Agent shall be deemed to be transport”.</p> <p>Section 3 shall be omitted.</p> <p>In sections 13, 33 and 50, the words “or coca”, wherever they occur, shall be omitted.</p> <p>In clause (d) of sub-section (1) of section 30, after the words “of any offence”, where they occur for the first time, the words “under the Dangerous Drugs Act, 1930, or” shall be inserted.</p> <p>In section 33, the proviso shall be omitted.</p>

## Madras Act.

1886	I	The Madras Abkari Act, 1886.	<p>In section 3,—</p> <p>(a) for the definition of “intoxicating drug” in clause (13) the following definition shall be substituted, namely :—</p> <p>“(13) ‘intoxicating drug’ means—</p> <p>(i) the leaves, small stalks and flowering or fruiting tops of the Indian hemp plant (<i>Cannabis sativa L.</i>), including all forms known as <i>bhanga</i>, <i>siddhi</i> or <i>ganja</i> ;</p>
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(ii) *charas*

Madras Act—contd.

Year.	No.	Short title.	Amendments.
1886	I	The Madras Abkari Act, 1886— <i>contd.</i>	<p>(ii) <i>charas</i>, that is, the resin obtained from the Indian hemp plant, which has not been submitted to any manipulations other than those necessary for packing and transport ;</p> <p>(iii) any mixture, with or without neutral materials, of any of the above forms of intoxicating drug, or any drink prepared therefrom ; and</p> <p>(iv) any other intoxicating or narcotic substance which the Governor in Council may by notification, declare to be an intoxicating drug, such substance not being opium, coca leaf, or a manufactured drug, as defined in section 2 of the Dangerous Drugs Act, 1930 ;”</p> <p>(b) to the definition of “import” in clause (15) the following proviso shall be added, namely :—</p> <p>“ Provided that, in the case of intoxicating drugs specified in sub-clauses (i), (ii) and (iii) of clause (15), it means to import inter-provincially, as defined in clause (j) of section 2 of the Dangerous Drugs Act, 1930 ;” and</p> <p>(c) to the definition of “export” in clause (16) the following proviso shall be added, namely :—</p> <p>“ Provided that, in the case of intoxicating drugs specified in sub-clauses (i), (ii) and (iii) of clause (15), it means to export inter-provincially, as defined in clause (l) of section 2 of the Dangerous Drugs Act, 1930 ”.</p> <p>In section 8, after the word “importation” the words “into British India” shall be inserted.</p> <p>In section 12,—</p> <p>(a) the words “or <i>Indica</i>” shall be omitted ;</p> <p>(b) the words “or coca plant (<i>Erythroxylon coca</i>)” shall be omitted ; and</p>

(c) the



## Madras Act—concl'd.

Year.	No.	Short title.	Amendments.
1886	I	The Madras Abkari Act, 1886—concl'd.	<p>(c) the words "or coca", where they occur after the word "hemp", shall be omitted.</p> <p>In clause (c) of section 26, after the words "of any offence", where they occur for the second time, the words "under the Dangerous Drugs Act, 1930, or" shall be inserted.</p> <p>In clause (l) of sub-section (2) of section 29, the words "and coca" shall be omitted, and for the word "plants", wherever it occurs, the word "plant" shall be substituted.</p> <p>In clause (c) of section 55,—</p> <p>(a) the words "or <i>Indica</i>" shall be omitted ;</p> <p>(b) the words "the coca plant (<i>Erythroxylon coca</i>)" shall be omitted ; and</p> <p>(c) for the word "plants" the word "plant" shall be substituted.</p>

## Bombay Act.

1878	V	The Bombay Abkari Act, 1878.	<p>In section 3,—</p> <p>(a) for the definition of "intoxicating drug" in clause (9) the following definitions shall be substituted, namely:—</p> <p>"(9) 'intoxicating drug' means—</p> <p>(i) the leaves, small stalks and flowering or fruiting tops of the Indian hemp plant (<i>Cannabis sativa L.</i>), including all forms known as <i>bhanga</i>, <i>siddhi</i> or <i>ganja</i> ;</p> <p>(ii) <i>charas</i>, that is, the resin obtained from the Indian hemp plant, which has not been submitted to any manipulations other than those necessary for packing and transport ;</p> <p>(iii) any mixture, with or without neutral materials, of any of the above forms of intoxicating drug, or any drink prepared therefrom ; and</p>
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*Dangerous Drugs.* [ACT II  
(Schedule II.—Amendments of local Acts.)

*Bombay Act—contd.*

Year.	No.	Short title.	Amendments.
1878	V	The Bombay Abkari Act, 1878— <i>contd.</i>	<p>(iv) any other intoxicating or narcotic substance which Government may, by notification in the Bombay Government Gazette, declare to be an intoxicating drug, such substance not being opium, coca leaf, or a manufactured drug, as defined in section 2 of the Dangerous Drugs Act, 1930.</p> <p>(9A) 'hemp' means any variety of the Indian hemp plant from which intoxicating drugs can be produced ;"</p> <p>(b) to the definition of "to import" in clause (10) the following proviso shall be added, namely:—</p> <p>"Provided that, in the case of intoxicating drugs specified in sub-clauses (i), (ii) and (iii) of clause (9) and hemp, it means to import inter-provincially, as defined in clause (j) of section 2 of the Dangerous Drugs Act, 1930;" and</p> <p>(c) to the definition of "to export" in clause (10) the following proviso shall be added, namely:—</p> <p>"Provided that, in the case of intoxicating drugs specified in sub-clauses (i), (ii) and (iii) of clause (9) and hemp, it means to export inter-provincially, as defined in clause (l) of section 2 of the Dangerous Drugs Act, 1930 ;".</p> <p>Clause (2) of sub-section (1) of section 16 shall be omitted.</p> <p>In clause (c) of sub-section (1) of section 32, after the words "of any offence", where they occur for the second time, the words "under the Dangerous Drugs Act, 1930, or" shall be inserted.</p> <p>In sub-section (1) of section 32, the proviso shall be omitted.</p> <p>Sections 43A and 43B shall be omitted.</p>

OF 1930.]

*Dangerous Drugs.*

(Schedule II.—Amendments of local Acts.)

*Bengal Act.*

Year.	No.	Short title.	Amendments.
1909	V	The Bengal Excise Act, 1909.	<p>In section 2,—</p> <p>(a) clause (4A) shall be omitted;</p> <p>(b) to the definition of "export" in clause (11) the following proviso shall be added, namely:—</p> <p>"Provided that, in the case of intoxicating drugs specified in sub-clauses (i), (ii) and (iii) of clause (13), it means to export inter-provincially, as defined in clause (i) of section 2 of the Dangerous Drugs Act, 1930";</p> <p>(c) to the definition of "import" in clause (12) the following proviso shall be added, namely:—</p> <p>"Provided that, in the case of intoxicating drugs specified in sub-clauses (i), (ii) and (iii) of clause (13), it means to import inter-provincially, as defined in clause (j) of section 2 of the Dangerous Drugs Act, 1930"; and</p> <p>(d) for the definition of "intoxicating drug" in clause (13) the following definition shall be substituted, namely:—</p> <p>"(13) 'intoxicating drug' means—</p> <p>(i) the leaves, small stalks and flowering or fruiting tops of the Indian hemp plant (<i>Cannabis sativa L.</i>), including all forms known as <i>bhanga</i>, <i>siddhi</i> or <i>ganja</i>;</p> <p>(ii) <i>charas</i>, that is, the resin obtained from the Indian hemp plant, which has not been submitted to any manipulations other than those necessary for packing and transport;</p> <p>(iii) any mixture, with or without neutral materials, of any of the above forms of intoxicating drug, or any drink prepared therefrom; and</p> <p>(iv) any</p>

Dangerous Drugs.

[ACT II

(Schedule II.—Amendments of local Acts.)

~~Bengal Act—contd.~~

Year.	No.	Short title.	Amendments.
1909	V	The Bengal Excise Act, 1909— <i>contd.</i>	<p>(iv) any other intoxicating or narcotic substance which the Local Government may, by notification, declare to be an intoxicating drug, such substance not being opium, coca leaf, or a manufactured drug, as defined in section 2 of the Dangerous Drugs Act, 1930."</p> <p>Section 3 shall be omitted.</p> <p>In clause (d) of sub-section (1) of section 42, after the words "of any offence punishable", where they occur for the second time, the words "under the Dangerous Drugs Act, 1930, or" shall be inserted.</p> <p>In section 46, the proviso shall be omitted.</p>

United Provinces Act.

1910	IV	The United Provinces Excise Act, 1910.	<p>In section 3,—</p> <p>(a) for the definition of "intoxicating drug" in clause (12) the following definition shall be substituted, namely:—</p> <p>"(12) 'intoxicating drug' means—</p> <p>(i) the leaves, small stalks and flowering or fruiting tops of the Indian hemp plant (<i>Cannabis sativa L.</i>), including all forms known as <i>bhanga</i>, <i>siddhi</i> or <i>ganja</i>;</p> <p>(ii) <i>charas</i>, that is, the resin obtained from the Indian hemp plant, which has not been submitted to any manipulations other than those necessary for packing and transport;</p> <p>(iii) any mixture, with or without neutral materials, of any of the above forms of intoxicating drug or any drink prepared therefrom; and</p> <p>(iv) any other intoxicating or narcotic substance which the Local Government may, by notification, declare to be an intoxicating drug, such substance not being opium, coca leaf, or a manufactured drug, as defined in section 2 of the Dangerous Drugs Act, 1930;"</p>
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(b) to

## (Schedule II.—Amendments of local Acts.)

## United Provinces Act—contd.

Year.	No.	Short title.	Amendments.
1910	IV	The United Provinces Excise Act, 1910— <i>contd.</i>	<p>(b) to the definition of "import" in clause (17) the following proviso shall be added, namely:—</p> <p>" Provided that, in the case of intoxicating drugs specified in sub-clauses (i), (ii) and (iii) of clause (12), it means to import inter-provincially, as defined in clause (j) of section 2 of the Dangerous Drugs Act, 1930 ";</p> <p>(c) to the definition of "export" in clause (18) the following proviso shall be added, namely:—</p> <p>" Provided that, in the case of intoxicating drugs specified in sub-clauses (i), (ii) and (iii) of clause (12), it means to export inter-provincially, as defined in clause (l) of section 2 of the Dangerous Drugs Act, 1930 "; and</p> <p>(d) the definition of "cocaine" in clause (23) shall be omitted.</p> <p>Section 5 shall be omitted.</p> <p>In clause (c) of sub-section (1) of section 34, after the words "of any offence punishable", where they occur for the second time, the words "under the Dangerous Drugs Act, 1930, or" shall be inserted.</p> <p>In sections 51, 54, 69 and 70, the word, figures and letter "section 60A" shall be omitted.</p> <p>In section 60, the words "if the offence is committed in respect of cocaine, with imprisonment which may extend to two years or with fine or with both, and in any other case" shall be omitted.</p> <p>Sections 60A and 60B shall be omitted.</p>

## Punjab Act.

1914	I	The Punjab Excise Act, 1914.	<p>In section 3,—</p> <p>(a) to the definition of "export" in clause (10) the following proviso shall be added, namely:—</p> <p>" Provided that, in the case of intoxicating drugs specified in sub-</p>
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clauses

Dangerous Drugs.

[ACT II

(Schedule II.—Amendments of local Acts.)

Punjab Act—contd.

Year.	No.	Short title.	Amendments.
1914	I	The Punjab Excise Act, 1914— <i>contd.</i>	<p>clauses (i), (ii) and (iii) of clause (13), it means to export inter-provincially, as defined in clause (l) of section 2 of the Dangerous Drugs Act, 1930”;</p> <p>(b) to the definition of “import” in clause (13) the following proviso shall be added, namely:—</p> <p>“Provided that, in the case of intoxicating drugs specified in sub-clauses (i), (ii) and (iii) of clause (13), it means to import inter-provincially, as defined in clause (j) of section 2 of the Dangerous Drugs Act, 1930”;</p> <p>(c) for the definition of “intoxicating drug” in clause (13) the following definition shall be substituted, namely:—</p> <p>“‘intoxicating drug’ means—</p> <p>(i) the leaves, small stalks and flowering or fruiting tops of the Indian hemp plant (<i>Cannabis sativa L.</i>), including all forms known as <i>bhang</i>, <i>siddhi</i> or <i>ganja</i>;</p> <p>(ii) <i>charas</i>, that is, the resin obtained from the Indian hemp plant, which has not been submitted to any manipulations other than those necessary for packing and transport;</p> <p>(iii) any mixture, with or without neutral materials, of any of the above forms of intoxicating drug, or any drink prepared therefrom; and</p> <p>(iv) any other intoxicating or narcotic substance which the Local Government may, by notification, declare to be an intoxicating drug, such substance not being opium, coca leaf, or a manufactured drug, as defined in section 2 of the Dangerous Drugs Act, 1930”.</p> <p>In clause (b) of sub-section (1) of section 20, the words “or coca plant” shall be omitted.</p>

of 1930.]

*Dangerous Drugs.*

*(Schedule II.—Amendments of local Acts.)*

*Punjab Act—concl'd.*

Year.	No.	Short title.	Amendments.
1914	I	The Punjab Excise Act, 1914—concl'd.	<p>In clause (1) of section 26, in proviso (a) to section 32, in sub-clause (ii) of clause (a) of section 59, and in clause (b) of sub-section (2) of section 61, the words "or coca" shall be omitted.</p> <p>In clause (d) of section 36, after the words "of any offence punishable", where they occur for the second time, the words "under the Dangerous Drugs Act, 1930, or" shall be inserted.</p>

*Burma Acts.*

1909	VII	The Burma Opium Law Amendment Act, 1909.	<p>For section 2 the following section shall be substituted, namely:—</p> <p>"2. In this Act, 'opium' includes opium as defined in section 3 of the Opium Act, 1878, and opium derivatives as defined in clause (f) of section 2 of the Dangerous Drugs Act, 1930."</p> <p>In clause (a) of section 2, after the words and figures "Opium Act, 1878", the words and figures "or the Dangerous Drugs Act, 1930," shall be inserted.</p> <p>In sub-section (1) of section 4,—</p> <p>(a) for the words "the Opium Law for the time being in force" the words "any law for the time being in force relating to opium" shall be substituted;</p> <p>(b) after the words and figures "Opium Act, 1878", the words and figures "or section 22 of the Dangerous Drugs Act, 1930," shall be inserted;</p> <p>(c) in clauses (b) and (c), for the words "the Opium Law" the words "any law for the time being in force relating to opium" shall be substituted.</p>
1917	V	The Burma Excise Act, 1917.	<p>In section 2,—</p> <p>(a) clause (d) shall be omitted;</p> <p>(b) to the definition of "Export" in clause (i) the following proviso shall be added, namely:—</p> <p>"Provided that, in the case of intoxicating drugs specified in sub-</p>

clauses

Dangerous Drugs.

[ACT II

(Schedule II.—Amendments of local Acts.)

Burma Acts—contd.

Year.	No.	Short title.	Amendments:
1917	V	The Burma Excise Act, 1917—contd.	<p>clauses (i), (ii) and (iii) of clause (l), it means to export inter-provincially, as defined in clause (l) of section 2 of the Dangerous Drugs Act, 1930”;</p> <p>(c) clause (j) shall be omitted;</p> <p>(d) to the definition of “Import” in clause (k) the following proviso shall be added, namely:—</p> <p>“Provided that, in the case of intoxicating drugs specified in sub-clauses (i), (ii) and (iii) of clause (l), it means to import inter-provincially, as defined in clause (j) of section 2 of the Dangerous Drugs Act, 1930”; and</p> <p>(e) for the definition of “Intoxicating drug” in clause (l) the following definition shall be substituted, namely:—</p> <p>“ ‘ Intoxicating drug ’ means—</p> <p>(i) the leaves, small stalks and flowering or fruiting tops of the Indian hemp plant (<i>Cannabis sativa</i> L.), including all forms known as <i>bang</i>, <i>siddhi</i> or <i>ganja</i>;</p> <p>(ii) <i>charas</i>, that is, the resin obtained from the Indian hemp plant, which has not been submitted to any manipulations other than those necessary for packing and transport;</p> <p>(iii) any mixture, with or without neutral materials, of any of the above forms of intoxicating drug, or any drink prepared therefrom; and</p> <p>(iv) any other intoxicating or narcotic substance which the Local Government may, by notification, declare to be an intoxicating drug, such substance not being opium, coca leaf, or a manufactured drug, as defined in section 2 of the Dangerous Drugs Act, 1930 ”.</p>

In



OF 1930.]

*Dangerous Drugs.*

(Schedule II.—Amendments of local Acts.)

*Burma Acts—concl'd.*

Year.	No.	Short title.	Amendments.
1917	V	The Burma Excise Act, 1917—concl'd.	<p>In section 11, for the words "the coca plant or any plant specified as an intoxicating drug by notification under section 2 (l) (iii)" the words "or any plant declared to be an intoxicating drug by a notification under section 2 (l) (iv)" shall be substituted.</p> <p>In clause (g) of section 30, for the words "coca plant or any plant specified as an intoxicating drug by notification under section 2 (l) (iii)" the words "or any plant declared to be an intoxicating drug by a notification under section 2 (l) (iv)" shall be substituted.</p> <p>Section 32 shall be omitted.</p> <p>In sections 44, 45, 46, 54, 55, 56 and 57, the word and figures "section 32" shall be omitted.</p> <p>Section 64 shall be omitted.</p>

*Eastern Bengal and Assam Act.*

1910	I	The Eastern Bengal and Assam Excise Act, 1910.	<p>In section 3,—</p> <p>(a) to the definition of "Export" in clause (11) the following proviso shall be added, namely:—</p> <p>"Provided that, in the case of intoxicating drugs specified in sub-clauses (i), (ii) and (iii) of clause (13), it means to export inter-provincially, as defined in clause (l) of section 2 of the Dangerous Drugs Act, 1930";</p> <p>(b) to the definition of "Import" in clause (12) the following proviso shall be added, namely:—</p> <p>"Provided that, in the case of intoxicating drugs specified in sub-clauses (i), (ii) and (iii) of clause (13), it means to import inter-provincially, as defined in clause (j) of section 2 of the Dangerous Drugs Act, 1930"; and</p> <p>(c) for the definition of "Intoxicating drug" in clause (13) the following:</p>
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definition

Dangerous Drugs.

[ACT II

(Schedule II.—Amendments of local Acts.)

Eastern Bengal and Assam Act—contd.

Year.	No.	Short title.	Amendments.
1910	I	The Eastern Bengal and Assam Excise Act, 1910—contd.	<p>definition shall be substituted, namely :—</p> <p>“ ‘Intoxicating drug’ means—</p> <p>(i) the leaves, small stalks and flowering or fruiting tops of the Indian hemp plant (<i>Cannabis sativa L.</i>), including all forms known as <i>bhanga</i>, <i>siddhi</i> or <i>ganja</i> ;</p> <p>(ii) <i>charas</i>, that is, the resin obtained from the Indian hemp plant, which has not been submitted to any manipulations other than those necessary for packing and transport ;</p> <p>(iii) any mixture, with or without neutral materials, of any of the above forms of intoxicating drug, or any drink prepared therefrom ; and</p> <p>(iv) any other intoxicating or narcotic substance which the Local Government may, by notification, declare to be an intoxicating drug, such substance not being opium, coca leaf, or a manufactured drug, as defined in section 2 of the Dangerous Drugs Act, 1930 ”.</p> <p>Section 5 shall be omitted.</p> <p>For clause (b) of sub-clause (1) of section 15 the following clause shall be substituted, namely :—</p> <p>“ (b) no hemp plant (<i>Cannabis sativa L.</i>) shall be cultivated or collected ; ”.</p> <p>In clause (c) of sub-section (1) of section 29, after the words “ of any offence punishable ”, where they occur for the second time, the words “ under the Dangerous Drugs Act, 1930, or ” shall be inserted.</p> <p>For sub-clause (ii) of clause (e) of sub-section (2) of section 36 the following</p>

sub-clause

(Schedule II.—Amendments of local Acts.)

Eastern Bengal and Assam Act—concl'd.

Year.	No.	Short title.	Amendments.
1910	I	The Eastern Bengal and Assam Excise Act, 1910—concl'd.	<p>sub-clause shall be substituted, namely:—</p> <p>“(ii) the cultivation of the hemp plant (<i>Cannabis sativa L.</i>), the collection of the spontaneous growth of such plant, and the preparation of any intoxicating drug from such growth;”.</p> <p>In clause (b) of section 53, the words “or any cocaine-yielding plant of the genus <i>Erythroxylon</i>” shall be omitted.</p> <p>In clause (a) of sub-section (I) of section 67, the words “or cocaine-yielding plant of the genus <i>Erythroxylon</i>” shall be omitted.</p> <p>In clause (a) of section 68, the words “cocaine-yielding plant of the genus <i>Erythroxylon</i>” shall be omitted.</p>

Bihar and Orissa Act.

1915	II	The Bihar and Orissa Excise Act, 1915.	<p>In section 2,—</p> <p>(a) clause (4) shall be omitted;</p> <p>(b) to the definition of “export” in clause (10) the following proviso shall be added, namely:—</p> <p>“Provided that, in the case of intoxicating drugs specified in sub-clauses (i), (ii) and (iii) of clause (13), it means to export inter-provincially, as defined in clause (b) of section 2 of the Dangerous Drugs Act, 1930”;</p> <p>(c) to the definition of “import” in clause (12) the following proviso shall be added, namely:—</p> <p>“Provided that, in the case of intoxicating drugs specified in sub-clauses (i), (ii) and (iii) of clause (13), it means to import inter-provincially, as defined in clause (j) of section 2 of the Dangerous Drugs Act, 1930”;</p> <p>(d) the definition of “hemp plant” in clause (11) shall be omitted; and</p>
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(Schedule II.—Amendments of local Acts.)

Bihar and Orissa Act—contd.

Year.	No.	Short title.	Amendments.
1915	II	The Bihar and Orissa Excise Act, 1915— <i>contd.</i>	<p>(e) for the definition of "intoxicating drug" in clause (13) the following definition shall be substituted, namely:—</p> <p>"intoxicating drug" means—</p> <p>(i) the leaves, small stalks and flowering or fruiting tops of the Indian hemp plant (<i>Cannabis sativa L.</i>), including all forms known as <i>bharg</i>, <i>siddhi</i> or <i>ganja</i> ;</p> <p>(ii) <i>charas</i>, that is, the resin obtained from the hemp plant, which has not been submitted to any manipulations other than those necessary for packing and transport ;</p> <p>(iii) any mixture, with or without neutral materials, of any of the above forms of intoxicating drug, or any drink prepared therefrom ; and</p> <p>(iv) any other intoxicating or narcotic substance which the Local Government may, by notification, declare to be an intoxicating drug, such substance not being opium, coca leaf, or a manufactured drug, as defined in section 2 of the Dangerous Drugs Act, 1930 "</p> <p>Section 3 shall be omitted.</p> <p>In clauses (b) and (c) of section 13, the words "or any cocaine-yielding plant of the genus <i>Erythroxylon</i>" shall be omitted.</p> <p>In clause (d) of sub-section (1) of section 42, after the words "of any offence punishable", where they occur for the second time, the words "under the Dangerous Drugs Act, 1930, or" shall be inserted.</p> <p>In section 47,—</p> <p>(a) in clauses (b) and (c), the words "or any cocaine-yielding plant of the genus <i>Erythroxylon</i>" shall be omitted ; and</p>

(b) the

of 1930.]

*Dangerous Drugs.*

(Schedule II—Amendments of local Acts.)

*Bihar and Orissa Act—concl'd.*

Year.	No.	Short title.	Amendments.
1915	II	The Bihar and Orissa Excise Act, 1915— <i>concl'd.</i>	<p>(b) the words “ or, if the exciseable article in respect of which an offence under clause (a), or clause (f) or clause (h) has been committed is cocaine, to imprisonment for a term which may extend to one year, or to fine which may extend to two thousand rupees, or to both ” shall be omitted.</p> <p>In section 60, the words “ other than cocaine ” shall be omitted.</p>

*Central Provinces Act.*

[ 1915	II	The Central Provinces Excise Act, 1915.	<p>In section 2,—</p> <p>(a) clauses (3A) and (4) shall be omitted</p> <p>(b) to the definition of “ export ” in clause (9) the following proviso shall be added, namely :—</p> <p>“ Provided that, in the case of intoxicating drugs specified in sub-clauses (i), (ii) and (iii) of clause (12), it means to export inter-provincially, as defined in clause (l) of section 2 of the Dangerous Drugs Act, 1930 ” ;</p> <p>(c) clause (10) shall be omitted ;</p> <p>(d) to the definition of “ import ” in clause (11) the following further proviso shall be added, namely :—</p> <p>“ Provided further that, in the case of intoxicating drugs specified in sub-clauses (i), (ii) and (iii) of clause (12), it means to import inter-provincially, as defined in clause (j) of section 2 of the Dangerous Drugs Act, 1930 ” ; and</p> <p>(e) for the definition of “ intoxicating drug ” in clause (12) the following definition shall be substituted, namely :—</p> <p>“ ‘ intoxicating drug ’ means—</p> <p>(i) the leaves, small stalks and flowering or fruiting tops of the Indian hemp plant (<i>Cannabis sativa L.</i>), including all forms known as <i>bhanga</i>, <i>siddhi</i> or <i>ganja</i> ;</p>
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(ii) *charas*

*Dangerous Drugs.* [ACT II OF 1930.]

*(Schedule II.—Amendments of local Acts.)*

*Central Provinces Act—contd.*

Year.	No.	Short title.	Amendments.
1915	II	The Central Provinces Excise Act, 1915— <i>contd.</i>	<p>(ii) <i>charas</i>, that is, the resin obtained from the Indian hemp plant, which has not been submitted to any manipulations other than those necessary for packing and transport ;</p> <p>(iii) any mixture, with or without neutral materials, of any of the above forms of intoxicating drug, or any drink prepared therefrom ; and</p> <p>(iv) any other intoxicating or narcotic substance which the Local Government may, by notification, declare to be an intoxicating drug, such substance not being opium, coca leaf, or a manufactured drug, as defined in section 2 of the Dangerous Drugs Act, 1930 ”.</p> <p>Section 3 shall be omitted.</p> <p>In clause (b) of section 13, in clause (b) of sub-section (1) of section 17, in clause (a) of proviso (1) to section 26, in clause (c) of section 34, in section 50, and in clause (d) of sub-section (2) of section 62, the words “ or coca plant ” or “ or the coca plant ”, as the case may be, shall be omitted.</p> <p>In clause (c) of sub-section (1) of section 31, after the words “ of any offence ”, where they occur for the second time, the words “ under the Dangerous Drugs Act, 1930, or.” shall be inserted.</p> <p>In section 34, the proviso shall be omitted.</p>

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