

Rep. by Act 58 of 1980 & S. 2 & Sec 1 (wef 26.12.60)

THE OPIUM LAWS (AMENDMENT) ACT, 1957

No. 52 OF 1957

[21st December, 1957]

An Act further to amend the Opium Act, 1878 and the Dangerous Drugs Act, 1930.

BE it enacted by Parliament in the Eighth Year of the Republic of India as follows:—

Short title. 1. This Act may be called the Opium Laws (Amendment) Act, 1957.

Amendment of section 3. 2. In the Opium Act, 1878 (hereinafter referred to as the Opium Act), in the definition of "opium" in section 3, for clause (i), the following clause shall be substituted, namely:—

"(i) the capsules of the poppy (*Papaver somniferum L.*), whether in their original form or cut, crushed or powdered, and whether or not juice has been extracted therefrom;"

Amendment of section 9. 3. In section 9 of the Opium Act, for the words "shall, on conviction before a Magistrate, be punished for each such offence with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both;" the following words shall be substituted, namely:—

"shall, on conviction before a Magistrate, be punishable for each such offence with imprisonment which may extend to three years, with or without fine;"

Amendment of section 14. 4. In section 14 of the Opium Act, for the words "Any officer of any of the departments of Excise, Police, Customs, Salt, Opium or Revenue, superior in rank to a peon or constable, who may in right of his office be authorized by the State Government in this behalf, and", the following words shall be substituted, namely:—

"Any officer of the department of Central Excise, Narcotics, Drugs Control, Customs, Revenue, Police or Excise, superior in rank to a peon or constable, authorized in this behalf by the Central Government or the State Government,"

2 of 1930.

5. In the Dangerous Drugs Act, 1930 (hereinafter referred to as the Dangerous Drugs Act), in clause (e) of section 2, for sub-clause (i), the following sub-clause shall be substituted, namely:—

Amendment of section 2.

“(i) the capsules of the poppy (*Papaver somniferum* L.), whether in their original form or cut, crushed or powdered, and whether or not juice has been extracted therefrom;”

6. In sections 10, 11, 12, 13, 14 and 15 of the Dangerous Drugs Act, for the words “shall be punished with imprisonment which may extend to two years, or with fine, or with both”, the words “shall be punishable with imprisonment which may extend to three years, with or without fine” shall be substituted.

Amendment of sections 10, 11, 12, 13, 14 and 15.

7. In sections 16 and 17 of the Dangerous Drugs Act, for the words “or to fine, or to both”, the words “with or without fine” shall be substituted.

Amendment of sections 16 and 17.

8. In sub-section (1) of section 23 of the Dangerous Drugs Act, for the words “Any officer of the department of Excise, Police, Customs, Salt, Opium or Revenue, superior in rank to a peon or constable, authorized in this behalf by the State Government”, the following words shall be substituted, namely:—

Amendment of section 23.

“Any officer of the department of Central Excise, Narcotics, Drugs Control, Customs, Revenue, Police or Excise, superior in rank to a peon or constable, authorized in this behalf by the Central Government or the State Government,”

9. Section 31 of the Dangerous Drugs Act shall be omitted.

Omission of section 31.