

DELHI SUPPLY AND SALE OF HEMP DRUGS RULES, 1976

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DELHI SUPPLY AND SALE OF HEMP DRUGS RULES, 1976

DELHI SUPPLY AND SALE OF HEMP DRUGS RULES, 1976

1. Short title :-

These rules may be called The Delhi Supply and Sale of Hemp Drugs Rules, 1976.

2. . :-

There shall be only one type of licence in form H-1 for the retail vend of Bhang or any preparation or any admixture thereof.

3. . :-

The licence shall be granted by auction or tender and the fee payable for the licence shall be fixed by auction or tender.

4. . :-

No licence for the vend of intoxicating drugs shall, without previous sanction of the Lt. Governor, be granted for a period extending beyond the term of financial year in which the licence is granted.

5. . :-

The provisions of the Delhi Liquor Licence Rules, 1976 published in the Delhi Administration Notification No. F. 10/61/75-Fin. (G) dated 5th June, 1976 and as amended from time to time, regulating the grant by auction or tender of liquor licences shall, as far as they may be applicable, apply to grant by auction or tender of hemp drugs licences.

6. . :-

The Collector shall dispose of retail licences by auction or tender separately and not in groups.

7. . :-

No licence is transferable, but the Collector may permit a licensee to add any person as a partner in his business.

8. . :-

If any person who has held a licence under these rules, shall have in his possession on the expiry or determination from any other cause, i.e. by cancellation of his licence, any hemp drugs which he was unable to dispose of during the time when his licence was current, under the provisions of these rules to any person licensed or authorised to purchase them, he shall dispose of them in such manner as the Collector may direct

9. . :-

Any person who is granted a retail licence, shall be bound, if so desired by the Collector, to take over the surplus stock of the person who held the retail licence for the same place in the preceding year at a price fixed by the Collector.

10. . :-

The licences are granted subject to the conditions laid down in these Rules.

11. . :-

The licensee shall, in respect of any drugs which he is licensed to sell, meet the demand of ever customer entitled to be served.

12. . :-

The licence-holder shall maintain an account of receipt and sales

made by him K under this licence in such form as the Excise Commissioner may, from time to time, direct.

13. . :-

The licensee shall not keep in stock, or sell, either mixed with the hemp drugs which he is authorised to sell or separately, any chloral hydrate, butyl chloral hydrate, or para-aldehyde.

14. . :-

The licensee shall not hold directly or indirectly through an agent any other licence granted under the Punjab Excise Act, as in force in the Union Territory of Delhi, nor shall he act as the agent of any person holding such a licence.

15. . :-

The licensee shall comply with any Rules made under sections 58 and 59 of the Excise Act, 1914, as in force in the Union Territory of Delhi.

16. . :-

In the event of licence-holder infringing any of these conditions, he shall be liable to be deprived of his licence at the Collector's discretion in addition to any other penalty to which he may be liable under the penal provisions of the Excise Act, 1914 as in force in the Union territory of Delhi.

17. . :-

On the termination of the period for which this licence is granted or on the licence being cancelled by the Collector as provided under condition 16, the licence- holder shall forthwith surrender the licence to the Collector.

18. . :-

Licence in form H-1 for the retail vend of Bhang or any preparation or admixture thereof shall be granted under, the following conditions:

(a) If the licensee makes default in paying any monthly instalment on the first day of the month in respect of which it is due, it shall be in the discretion of the Collector to cancel the licence forthwith and recover any loss caused to Govt. by such defalcation in the manner provided in Section 60 of the Punjab Excise Act, 1914, as in force in the Union Territory of Delhi.

(b) The licensee shall not, in any case, be entitled to demand

refund of any fees paid to Govt. in respect of this licence.

(c) The licensee shall not sell Bhang or any preparation or admixture thereof in quantity more than 120 gms. to one person at one time.

(d) The licensee shall not permit Bhang or any preparation or admixture thereof to be consumed on the premises of his shop.

(e) The licensee shall not sell Bhang or any preparation or admixture thereof to any insane person or a minor.

(f) The licensee shall not keep in stock, or sell, either mixed with the hemp drugs which he is authorised to sell or separately any chloral hydrate, butyl chloral hydrate, or para-aldehyde.

(g) The licensee shall not allow any person to conduct sales in his behalf unless the name of such person has been previously submitted to the Collector for approval and endorsed by him on the licence.

(h) The licensee shall maintain a daily account of his Bhang sales and of his balances in store in the following form and shall submit an abstract of such account to the Collector at the end of every month:

		Today's receipt				
Month	Balance of	Qty.	Source of	Total	Today's	Balance
and	previous		Supply		sale in	store at the
Date	date				quantity	end of the
						day
1	2	3	4	5	6	7

(i) The licensee shall, on demand by any Excise Officer, produce the licence and his sale accounts for inspection by such officer.

(j) No alternation, addition or deletion in the names of partners shall be made except in accordance with the rule 8 or rule 9 of Delhi Liquor Licence Rules, 1976, as the case may be. Any contravention of this condition may entail the cancellation of the licence, besides such penal action as may be deemed necessary.

(k) The licensee shall be bound to pay all Govt. dues in time.

(l) The licensee shall comply with any rules made under the Punjab Excise Act, 1914, as in force in the Union Territory of Delhi, or the

Dangerous Drugs Act (II of 1930) for the regulation of the import, transport or sale of intoxicating drugs.

(m) In the event of the licensee infringing any of these conditions, he shall be liable to be deprived of his licence at the Collector's discretion in addition to any other penalty to which he may be liable under the penal provisions of the Excise Act, 1914, as in force in the Union Territory of Delhi.

(n) The licensee shall not open his shop for purposes of sale before 9 A.M., nor shall the licensee keep it open after 7 P.M.

19. . :-

"No licensee shall sell Bhang on days declared as dry days under rule 33(12)(a) of Delhi Liquor Licence Rules, 1976."

20. . :-

No Bhang shall be imported, exported or transported except under a pass in form H-2 issued in accordance with the rules for the time being in force in the Union Territory of Delhi for such import, export or transport. Such import/export shall be made from persons licensed to do so.

21. Repeal and Savings :-

The Delhi Supply and Sale of Hemp Drugs Rules, published with Chief Commissioner's notification No.4514-Commerce dated the 23rd May, 1936 and as subsequently amended from time to time are hereby repealed. Provided that as respects things done, proposed to be done before such repeal and every licence and permit granted under any such Rules, in so far as they are not inconsistent with the provisions of these Rules, shall have the same force and effect as if they had been respectively done or granted under these Rules and by the authority empowered in that behalf.

22. Forms H-1 and H-2 are appended :-