

Chapter XI

Hemp Drugs

Sections

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SECTION XL- SOURCES AND SYSTEM OF SUPPLY

A- General

522. The nature and uses of Bhang and the sources from which it can be obtained have been generally described in paragraphs 14, 16, 18 and 19 of this part.

B- Cultivation of the hemp plant etc.

523. (1) The cultivation of the hemp plant is prohibited through out Uttar Pradesh.

NOTE- The districts of Almora, Garhwol and Nainital (excluding the Tarai and Bhabar) have been exempted from provisions of section 17(1) (b) of the Act. The cultivation of the hemp plant is, therefore, permitted in those are as. They have not, however, been exempted from the provision of section 17(1) (c) of the Act. Hemp drugs can, therefore, not be prepared from the hemp plant so cultivated.

(2) Save a provided in the rules relating to import, the import for personal consumption of Bhang into Uttar Pradesh is prohibited.

From these restroctions at follows that the only lawful source of Bhang is by collection from the spontaneous growth of hemp plant in certain districts.

SECTION XLI- HEMP DRUGS BONDED WAREHOUSES

524. All hemp drugs to be stored in bonded warehouses- All hemp drugs to be supplied by a supply contractor must be deposited direct into a hemp drugs bonded warehouse. Such bonded warehouses are ordinarily situated in the same buildings as those at present provided for the supply of country spirit under the contract system. The bonded warehouses situated at Allahabad, Varanasi, Lucknow, Bareilly, Agra and Saharanput may also be utilized for the purpose of storage and issue of hemp drugs to

other bonded warehouses. Where the accommodation at a bonded warehouse is insufficient for the storage of a sufficient quantity of Bhang to meet the requirements of a contractor, he must provide and maintain, at his own expense, private warehouses at places and in buildings approved by the Collector for the purpose convenient of access to officers of the Excise Department and so constructed that the bhang stored therein shall be secured against fraud and depredation. A private warehouse shall be deemed a contract bonded warehouse for the purpose of these paragraphs, but it shall only be used for the storage of bhang required for issue to the warehouses of the contract vendors shall be made at the warehouses provided by Government.

525. Inspection and supervision of bonded warehouses- The rules in force for the inspection and supervision of bonded warehouses for spirit, shall so far as may be, apply to warehouses for the storage of drugs.

526. Verification of stock on transfer of charges- These bonded warehouses will usually be in charge of an Excise Inspector. The procedure to be observed on taking charge and for the verification and safe custody of the stock of bonded warehouses will be as follows:

(1) An inspector when taking charge of drug warehouse must-

(a) count the packages (b) compare the entries on the cards with those in the register, (c) weigh each package and bring to the notice of the Assistant Excise Commissioner or Collector any case of short weight and (d) examine the packages and bring to the notice and package which seems to have been tampered with.

(2) When taking stock at the end of each month the inspector must comply with (a) (b) and (d) in clause (1).

(3) The key of the warehouse must not, under any circumstances, be handed over to a peon or any other person, and no one except the inspector must lock and unlock the warehouse, which must never be opened except in his presence.

(4) The stock should be checked not less than once a quarter by the Deputy Excise Commissioner of the charge.

527. Weighing machines- The weighing machines supplied to bonded warehouses for the weighing of drugs shall be tested at least once a year by the Assistant Excise Commissioner. Any defect in the weighing machine should be immediately reported to the Excise . Commissioner. Testing may conveniently be done by placing standard weights or a package exact weight of which has been scale, on the weighing machine and observing if the indications index arm and bearing being occasionally oiled. Where beam scales have been supplied, the latter should be used in preference to the weighing machines.

Wastages in Hemp Drugs Warehouses

528. In the case of transit wastage the officer incharge of the warehouse shall submit a report immediately after verification of a consignment to the Excise Commissioner through the Assistant officer incharge shall submit at the close of the month a report in Forms I.D.-23 and I.D.-24 to the Assistant Excise Commissioner alongwith a full explanation from himself and the agent of the supply contractor. Separate report should be submitted in respect of each variety of drugs. The Assistant Excise Commissioner, after such enquiry as he considers necessary shall submit the report to the Excise Commissioner together with his own recommendations as to the levy or remission of the amount of duty chargeable.

NOTE- In the case of transit wastage Assistant Excise Commissioners are empowered to write off the duty chargeable if they are satisfied that the loss is not due to pilfering and if the total wastage in the entire consignment does not exceed the quantity allowable.