Government of Rajasthan
Home (Gr. IX) Department

No. F.36(1)Home-9/09 part Jaipur, Dated: 08-03-2022

NOTIFICATION

Whereas the draft of the Rajasthan Poisons Possession and Sale (Amendment) Rules, 2021, amending the Rajasthan Poisons Possession and Sale Rules, 2015 in exercise of the powers conferred by section 8 of the Poisons Act, 1919 (Central Act No. XII of 1919), was published as required by sub-section (2) of section 8 of the said Act, in the Rajasthan Gazette Extra-ordinary part 4(Ga) dated 13.08.2021, inviting objections and suggestions from all persons likely to be affected thereby before the expire of 15 days from the date on which the copies of the notification as published in Rajasthan Gazette were made available to the public.

And whereas, the objections and suggestions on the said draft rules have been considered.

Now, therefore, in exercise of the power conferred by section 8 of the Poisons Act, 1919 (Central Act No. XII of 1919), the State Government hereby makes the following rules further to amend the Rajasthan Poisons Possession and Sale Rules, 2015, namely:-

1- Short title and Commencement.- (1) These rules may be called the Rajasthan Poisons Possession and Sale (Amendment) Rules, 2022.

2- Definitions.- (1) In these rules, unless the context otherwise requires,-

(a)**"Act"** means the Poisons Act, 1919 (Central Act No. XII of 1919);

(b)**"Dealer"** means a person holding license under these rules;

(c)**"Form"** means a form appended to these rules;

(d)**"Licensee"** means a holder of a license;

(e)**"Licensing authority"** means the District Magistrate or any officer authorized by the State Government in this behalf;

(g)**"Poison"** means any substance specified in the Schedule-I and

Schedule-II;

(h)**"Sale"** means any sale by a licensed dealer to another or by a licensed dealer to any educational institution or to any research or medical institution or hospital or dispensary under a qualified medical practitioner (Registered Medical Practitioner) or any recognized public institution or industrial firm (requiring poisons for its own use) or to Government

Departments or Public Sector Undertakings or to an individual for personal use; and

(i)**"Schedule"** means the Schedule appended to these rules.

(2) Words and expression used in these rules but not defined, shall have the same meaning as assigned to them in the Act.

3-Prohibition of sale or possession of poison for sale without license.- Unless exempted under the provisions of the Act, no person shall sell or possess for sale any poison specified in the Schedule-I and Schedule-II except under a license granted in Form "A" by the Licensing Authority.

4-Exhibition of licence on the premises.- A copy of the licence granted under these rules shall be displayed at a prominent position at the place of Business specified in the license."

5-Persons to whom licence may be granted.- (1) A license shall be granted only to a person who in the opinion of the licensing authority is competent to conduct business in poisons.

(2)The license issued to a firm or company shall always be in the name of the Proprietor / Proprietors or Directors of the company or a responsible person to be nominated by such Proprietor/ Proprietors or Directors for the purpose, or in the case of a public company, in the name of its Manager. (3)The name or names, so given, may be altered or amended by the licensing authority on a written application or online application from the firm or company and such written application shall bear a court fee stamp of hundred rupees and in case of online application applicant shall pay one hundred rupees online."

(4)A registered Vaid or a Hakim on an application and on production of his Registration Certificate may ordinarily be granted a licence to stock only indigenous poisonous drugs. A qualified Doctor may be granted licence for poisonous preparations of British Pharmacopoeia. A medical practitioner, not possessing the qualifications required for registration as a medical practitioner shall not be granted a licence for the sale of any of the poisonous preparation of the British Pharmacopoeia, as specified in Schedule-I and Schedule-II.

6Application for grant or renewal of licence.- (1) Every person desiring for the grant of license or renewal of a license issued under these rules shall make a written application or online application to the licensing authority in Form-B and in case of renewal, the application shall be made prior to three months of the date of expiry of the license. Such written application for grant or renewal of licence shall bear a court fees stamp of hundred rupees and in case of online application applicant shall pay one hundred rupees online. Where application for renewal is not made within time specified above, the applicant shall submit a written

application for renewal along with court fee stamp of five hundred rupees and in case of online application, applicant shall pay five hundred rupees online.

(2) Applications for duplicate licenses, when the original is lost or destroyed shall be made in writing or online and shall bear a court fee stamp of five hundred rupees and in case of online applications applicant shall pay online five hundred

rupees.

(3) In the case of any change in the place of business of the licensee, a fresh application for license shall be made to the licensing authority. The written application shall bear a court fee stamp of five hundred rupees and in case of online application applicant shall pay online five hundred rupees."

7Duration of licence.- Subject to the provisions of rules 8 and 9, a license granted or renewed under these rules shall remain in force for five years from the date of issue or renewal.

8Discretion of Licensing Authority.- (1)A license may be cancelled or revoked at any time. The grant/renewal/cancellation/revocation of a license shall be in the discretion of the licensing authority:

Provided that the licensing authority shall give an opportunity to the party concerned to show cause, if any, against the action proposed to be taken and shall record in writing the reasons for refusing to grant or renew a license or for cancelling or revoking a license.

(2) The applicant for a license or a licensee, whose license has to be refused for renewal or has been cancelled /revoked, is aggrieved by an order of the licensing authority may prefer an appeal with the Appellate Authority notified by the State Government.

9Termination of license.- A license shall terminate on the death of the license-holder or on the transfer of his business, or if granted to a firm or company, on the winding up or the transfer of the business of such firm or company or on the expiry of the term of the license.

Provided that if the business carried on by the licensee as such of the firm or company is transferred as a going concern and the transferee applies for a fresh license, with court fee stamp of hundred rupees, within fourteen days of the date of transfer, the subsisting license shall continue to be in force until a new license has been granted or the application for fresh license is rejected by the licensing authority.

10Disposal of stock on termination, revocation or cancellation of license.- In the event of revocation or cancellation of the license under rule 8 or in the event of the termination of license under rule 9, the stock of poison may be sold to any other license holder within a period of three months from the date of such termination, revocation, cancellation or non renewal of the license, after which the remaining poison shall be destroyed under the orders of the licensing authority. In case referred to in rule 9, the proceeds of the sale, if any, shall be made over to the legal representative of the deceased license holder or his transferee or, liquidator of the dissolved firm or company or the transferee of the firm or company, as the case may be.

11Power to inspect poisons and registers.- Any Executive Magistrate authorised by the Licensing Authority or an Inspector appointed under section 21 of the Drugs

and Cosmetics Act, 1940 (Central Act No. 23 of 1940) may at any time visit and inspect the premises of the licence holder where a poison is kept for sale and may inspect all poisons found therein and the registers."

12Sale of poisons.- (1) Every sale of poisons specified in the Schedule-I and Page **3** of **18**

Schedule-II, shall so far as practicable, be conducted by the license-holder in person or where the license-holder is a firm or a company, through or under supervision of, an accredited representative or such firm or company.

(2) A person holding licence for possession and sale of poisons granted under these rules shall store and sell from the premises specified in the licence.

13Persons to whom poisons may be sold.- A license holder shall not sell any poison to any person, unless the latter is personally known to him, or identified to his satisfaction by producing a photo identity card which has his address or substantiate it with a document giving his address. He shall also ascertain before selling any poison the name, telephone and address of the purchaser and the purpose for which the poison is purchased. He shall not sell any poison to any person who appears to him to be under the age of eighteen years, or to any person who does not appear to him to be in full possession of his faculties.

14Register of sale of Poisons.- (1) Every license holder shall maintain a register in which he shall enter correctly all sales of poison other than those used by a Chemist, Druggist or Compounder dispensing or compounding in compliance with the prescription of a qualified medical or veterinary practitioner. The following details shall be entered in such register in respect of such sale, namely:-

(a)Serial No;
(b)Name of poison;
(c)Quantity sold;
(d)Date of sale;
(e)Name and address of the purchaser, serial number of the photo- identity card produced and the name of the issuing authority;
(f)Purposes for which the poison was stated by the purchaser to be required;
(g)Signature of purchaser (or thumb impression, if illiterate) or in the case of purchase by post date on which the letter was written and reference to the original in the file in which it is preserved;
(h)Signature of a person identifying the purchaser if any (or thumb impression, if illiterate); and
(i) Signature of Dealer.

(2)In a separate portion of the register he shall enter in separate columns for each poison, the quantity of each poison sold daily and those entries shall be filled up from day to day.

(3)The signature in the register, prescribed under clause (i) of sub-rule (1) above shall be that of the license-holder himself, or, when the license holder is a firm or company, that of an accredited representative of such firm or company and shall be written at the time of sale or dispatch to the purchaser. Such signature shall be held to imply that the signatory had satisfied himself that the requirements of this rule have been fulfilled.

(4)All letters or written orders referred to under clause (g) of sub-rule (1) above of the register shall be preserved in original by the license holder for a period not less than two years from the date of the sale.

(5)The daily balance of stock should be entered in the register.

15Custody of poisons kept for sale and labelling of receptacles in which they are kept.- All poisons kept for sale under these rules by any license- holder shall be kept securely in a box, almirah, room or building (according to the quantity maintained) which shall be secured by lock and key and in which no substance shall be placed other than poisons possessed in accordance with a license granted under these rules, and each poison shall be kept securely within such box, almirah, room or building in a separate closed receptacle of glass, metal or earthenware. Every such box, almirah, room or building and every such receptacle shall be marked with the word "POISON" in red letters, both in English and in the local language and in the case of receptacles containing separate poisons, with name of such poison.

16Poisons sold to be securely packed and labelled.- When any poison is sold, it shall be securely packed in a closed receptacle or container (according to the quantity) and every such receptacle or packet shall be labelled by the licensee with a red label bearing in English and in local language giving the name of the poison and the name and address of the licensee.

17Security, storage and incident management of acids/corrosive substances by users (except individuals).- A standard operating procedure (SOP) outlining the measures undertaken for security, storage and incident management of acids/corrosive substances shall be prepared and displayed prominently in the premises of the user.

(1)Security of acid/corrosive substances:

(a)A person shall be made accountable for possession and safe keeping of acid in the premises.

(b) The storage of acid/corrosive shall be under the supervision of this person.

(c) The storage of acid/corrosive shall be under double lock system to ensure more security.

(d)A register of usage of acid shall be maintained and the same shall be filed with the concerned Sub-Divisional Magistrate every quarter.

(e) There shall be compulsory checking of the students/personnel leaving the laboratories/place of storage where acid/corrosive is used/ stored.

(2)Storage of acids/corrosive substances:

(a) The chemicals should be stored in plastic or other suitable containers. **(b)**All storage containers should be labelled to indicate the identity of the chemicals and the hazards involved and the precautions to be taken. **(c)**Incompatible chemicals should not be stored together.

(d) The inventory of corrosive chemicals should be kept to a minimum.

(e) Protective gloves, aprons, safety glasses and face shields should be worn where appropriate

(f) Acids should be diluted with care – always add acid to water, never add water to acid.

(3)Incident Management:

(a)Skin contact: Quickly take off contaminated clothing, shoes and leather goods (e.g. watchbands, belts). Quickly and gently blot or brush away excess chemical. Immediately flush with lukewarm, gently flowing water for at least 30 minutes. DO NOT INTERRUPT FLUSHING. If it can be done safely, continue flushing during transport to hospital. Immediately call a Poison Centre or doctor. Treatment is urgently required. Transport to a hospital.

(b)Eye contact: Avoid direct contact. Wear chemical protective gloves if necessary. Quickly and gently blot or brush chemical off the face.

Immediately flush the contaminated eye(s) with lukewarm, gently flowing water for at least 30 minutes, while holding the eyelid(s) open.

If a contact lens is present, DO NOT delay flushing or attempt to remove the lens. Neutral saline solution may be used as soon as it is available. DO NOT INTERRUPT FLUSHING. If necessary, continue flushing during transport to hospital.

(c)Ingestion: Have victim rinse mouth with water. If vomiting occurs naturally, have victim lean forward to reduce risk of aspiration. Have victim rinse mouth with water again. Immediately call a Poison Centre or doctor. Treatment is urgently required. Transport to a hospital.

(d)Inhalation: Take precautions to ensure your own safety before attempting rescue (e.g. wear appropriate protective equipment). Move victim to fresh air. Keep at rest in a position comfortable for breathing.

If breathing is difficult, trained personnel should administer emergency oxygen. DO NOT allow victim to move about unnecessarily.

Symptoms of pulmonary edema may be delayed. Immediately call a Poison Centre or doctor. Treatment is urgently required. Transport to a hospital.

18Penalties.- Any person who commits any breach of these rules shall be liable for punishment under section 6 of the Poisons Act,1919.

18A. Power to remove difficulties.- If any difficulty arises in giving effect to the provisions of these rules, the State Government may, by order published in Official Gazette, make provisions not inconsistent with the provisions of the Act and these rules, as may appear to be necessary for removing the difficulty

19Repeal and Savings.- (1) The Rajasthan Poisons Rules, 1972 is here by repealed:

Provided that such repeal shall not -

(i) affect anything done or any action taken under the rules, so repealed; or (ii) affect obligation or liability acquired, accrued or incurred under the rules, so repealed; or

(iii) affect penalty, forfeiture or punishment incurred in respect of any offence committed under the rules, so repealed; or

(iv) affect any investigation, legal proceeding or remedy in respect of such obligation, liability, penalty, forfeiture or punishment as aforesaid.

and shall be deemed to have been done or taken under these rules and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed as if these rules had

SCHEDULE-I

(see rule 3)

List of Poisons

These are the Poisons required in the treatment of Human Ailments and should be sold only by authorized sellers of Poisons (registered Pharmacists)

1.Alkaloids, all poisonous alkaloids (including the following either of synthetic or of vegetable origin), their salts, simple or complex, their quaternary compounds and all other poisonous derivatives of alkaloids. 2.Aconite, alkaloids of their salts, and preparations thereof; except substances containing less than 0.02 per cent of the alkaloids of aconite. 3.Atropine, its salts; and preparations thereof; except substances containing less than 0.15 per cent of atropine or not more than 1.0 per cent of atropine methonitrate.

4.Belladonna, alkaloids of; and all preparations or admixtures (except Belladonna plasters) containing 0.15 or more per cent of Belladonna alkaloids calculated as Hyoscyamine.

5.Brucine, except substances containing less than 0.2% of Brucine.

6.Calabar bean, alkaloids of; and all preparations or admixtures thereof containing 0.2 or more per cent of alkaloids, of calabar bean.

7.Cocaine and other Coca alkaloids of and all preparations of admixtures there of containing 0.1 or more per cent of coca alkaloids.

8.Colchicum, alkaloids of except substances containing less than 0.5 per cent of the alkaloids of Colchicum calculated as colchicine.

9.Dhatura herb and seeds, preparations or admixtures of Dhatura (except substances containing less than 0.15 per cent of the alkaloids of Datura), calculated as hyoscyamine and also preparations for the relief of asthma in the form of cigarettes, smoking mixture or fumigants.

10.Diamorphine, its salts.

11.Ecgonine, its esters and all preparations and admixtures thereof; except substances containing less than the equivalent of 0.1 per cent of ecgonine.

12.Emetine, except substances containing less than 1 per cent of Emetine. 13.Ergot, its alkaloids; extracts of Ergot and tinctures 01% Ergot, alkaloids. 14.Gelsemium, alkaloids of; except substances containing less than 0.1 per cent of the alkaloids of gelsemium.

15.Homatropine, except substances containing less than 0.15 per cent of homatropine.

16.Hyoscine, its salts; and preparations or admixtures thereof; except substances containing less than 0.15 per cent of hyoscine.

17.Hyoscyamus, its alkaloids, their salts; and their preparation or admixtures except substances containing less than 0.15 per cent of the alkaloids of hyoscyamus calculated as hyoscyamine.

18.Jaborandi, alkaloids of; except substances containing less than 0.5 per cent of the alkaloids of Jaborandi.

19.Nux vomica and all substances, preparations or admixtures containing 0.2 per cent or more of strychnine.

20.Substances containing less than 0.5 per cent of the alkaloids of lobelia.

21.Opium and all substances, prepartions or admixtures containing 0.2 per cent or more of morphine calculated as anhydrous morphine.

22.Parathion and all preparations thereof (manufacturers should put a lable with the following words in bold red letters):- “Caution-It is highly dangerous to use this product for domestic purposes. It may cause death.” 23.Pethidine, its salts and preparations thereof.

24.Rauwolfia, alkaloids of.

25.Solanaceous alkaloids, not otherwise included in this schedule, except substances containing less than 0.5 per cent of solanaceous alkaloids calculated as hyoscyamine.

26.Antimony, chlorides of, oxides of and sulphides of; antimonates, antimonite organic compounds of antimony and preparations of antimony [except (i) substances containing less than the equivalent of 0.01 per cent of antimony trioxide; and (ii) chlorides of antimony in polishes]

27.Arsenic, halides of , oxides of, sulphides of; arsenates, arsenites, acetoarsenates, thioarsenates, organic compounds of arsenic and ~ preparations of arsenic (except substances containing less than the equivalent of 0.01 per cent of arsenic trioxide and except dentifrices containing less than 0.5 per cent of Acetarsal).

28.Barbituric acid; its salts; derivatives of barbituric acid; their salts; compounds of barbituric acid; its salts, its derivatives; their salts with other substance, and all poisonous urethanes and ureides.

29.Cannabis, the resin of cannabis; galenical preparations of cannabis, extracts of cannabis, tinctures of cannabis, cannabin tannate.

30.Cantharides, cantharidin, cantharidates and all poisonous derivatives thereof; expect substances containing less than the equivalent of 0.01 per cent of cantharidin.

31.Chloral hydrate and its preparations.

32.Chloroform except substances containing less than 10 per cent of chloroform.

33.Coculus indicus (Kakamari).

34.Creosote from wood except substances containing less than 50 per cent of creosote from wood.

35.Croton: seeds of and oil of.

36.Digitalis, glycosides of, other active principles of digitalis, except substances containing les than one unit of activity (as defined in. the I.P.) in two grams of the substance.

37.Hydrocyanic acid except substances containing less than 0.15 per cent of hydrocyanic acid (HCN); all poisonous cyanides except substances containing less than the equivalent of 0.1 per cent of hydrocyanic acid (HCN); double cyanides of mercury and zinc.

38.Lead acetates; expect substances containing less and 4 per cent of lead acetate; compounds of lead with acids from fixed oils.

39.Meprobamate.

40.Mercury oxides (Red, Yellow or Black) of; nitrates of mercury' except substances containing less than the equivalent of 3 per cent of mercury (Hg); Mercuric Chloride except substances containing less/ than 1 per cent of Mercuric Chloride; Mercuric Ammonium Chloride; Potassium Mercuric

Iodides; expect substances containing less than the equivalent of 1 per cent of Mercury Iodide; organic compounds of Mercury which

contain a ethyl group directly linked to the Mercury except substances not being aerosols containing less than the equivalent of 0.2 per cent of Mercury (Hg); Mercuric Oxycyanides; Mercuric Thiocyanate.

41. Prussic acid and its preparations or admixtures containing 0.1 per cent of more of prussic acid.
42. Savin, its oil and their preparations or admixtures.
43. Strophanthus,strophathin, glycosides of strophanthus,strophanthus liq. And tinct.
44. Sulphonal and alkyl sulphonals.
45. Tartar emetic and all preparations and admixtures containing one or more per cent of tartar emetic.
46. Argemone, seeds and oil.
47. Picrotoxin.

Note: Preparations containing any of the above poisons are also covered by this list.

SCHEDULE-II

(see rule 3)

List of Poisons

These are the poisons which are in common use for domestic, Agricultural or Commercial purposes

1.All oxides of Mercury.

2.Acricid

3.Afalon, or Diuron, or 3-1 (3,4-Dichlorophenyl)-1-1 Dimethyl Urea.

4.Almonds, essential oil of (unless deprived of prussic acid).

5.Alpha-Naphthyl-Thiourea and all preparations thereof:

6.Ammonia (except substances not being solutions of Ammonia or preparations containing solutions of Ammonia; substances containing less than 5 per cent weight in weight of Ammonia (NH3), refrigerators and smelling bottles).

7.Aramite.

8.Aresin 3-(p-chloropheny1)-1 Dimethyl Urea.

9.Arsenic metal Arsenic trisulphides (yellow arsenic) of; arsenious oxide(white arsenic), calcium arsenates, calcium arsenites, copper aceto-arsenite(Paris green), copper arsenites, copper arsenates(Scheet‟s green),liquor arsenicalis(fowlers solution),arsenic hydrochloride,Arsenic chloride,Arsenic bromide,Red Arsenic(Arsenic disulphide),gauripe shaman, lead arsenate, potassium arsenites, sodium arsenates, sodium arsenites, sodium thioarsenates.

10.Barium all salts of except Barium sulphate.

11.Baytex.

12.Brestan-Triphenythin acetate.

13.Cantharides tincture of and all vesicating liquid preparations or admixtures of tincture of cantharides.

14.Carbolic acid and liquid preparations of carbolic acid and its homologues, containing more than 3 per cent of those substances, except preparations for use as sheep-wash, or for any other purpose in connection with agriculture or horticulture contained in a closed vessel, distinctly labelled with the word “Poisonous the name and address of the seller, and a notice of the special purposes for which the preparations are intended.

15.Chlorodinitro-Benzene (Dinitrochloro-Benzene).

16.Chloroform, and all preparations or admixtures containing more than 20 per cent of chloroform.

17.Chloronitro-Benzene (Orthonitrochloro-Benzene, metanitro-chl-oro- Benzene, paranitrochloro-Benzene), Chloro-ortho-toluidine.

18.Chlordane.

19.Corrosive acids such as glacial acetic acid, chloro sulphonic acid, formic acid, hydrazoic acid, hydriodic acid, hydrobromic acid, hydrochloric acid, hydrofluoric acid, nitric acid, perchloric acid, picric acid, sulphuric acid, trichloro acetic acid, etc.

20.Copper oxychloride.

21.Cuprous oxide
22.Cupric acetate.
23.Cyanogen gas.
24.Cyanides, that is to say, liquid hydrocyanic acid and all preparations thereof, sodium cyanides and all preparations thereof, potassium cyanides and all preparations thereof, calcium cyanides and all preparations thereof. 25.Diazinon [Phosphorothioic acid-O-O-diethyl-O- (2)-isopropyl-6 methyl-4 pyrimidinyl] and all preparations containing it.
26.Dinitrobenzenes „(Ortho-dinitrobenzene, metadinitrobenzene, para-dinitrobenzene).
27.Dinitro cresols, their compounds with a metal or a base.
28.Dinitronaphthols, dinitrophenols and their salts, dinitrothymols.
29.Dinitrotoluenes.
30.4,6-Dinitro orthocresol.
31.E. D. C. T. mixture,
32.Ethoxy ethyl mercury chloride and all preparations thereof.
33.Ethyl mercury chloride and all preparations thereof.
34.Ethyl mercury phosphate and all preparation thereof.
35.Formaldehyde.
36.Higher alcohols, that is to say, amyl alcohol, butyl alcohol, capryl alcohol, and any other substances containing these higher alcohols such as fusel oil.
37.Hexaethyl-tetra phosphate.
38.Heptachlor.
39.Lead arsenate.
40.Litharge (lead monoxide).
41.M.C.P.A 2- methyl-4-chlorphenoxy acetic acid.
42.Mercuric iodides, organic compounds of mercury, expect compounds which contain a methyl group directly linked to the mercury atom.
43.Mercuric sulphocyanide.
44.Metasystox, -o-[-2-(ethylthio) ethyl]-O-dimethy phosphorothioate.
45.Methanol (Methyl alcohol) and all preparations or admixtures of methanol (Methyl alcohol).
46.Methyl bromide and all preparations thereof.
47.Naphthyl-thiourea and all preparations thereof.
48.Nicotine.
49.Nitrobenzene.
50.Oxalic acid and metallic oxalates,sodium oxalate, potassium oxalate, ammonium oxalate.
51.Phenols (any members of the series of phenols of which the molecular composition varies from member to member by one atom of carbon and two atoms of hydrogen), halogen derivatives of phenols and compounds of phenol with a metal except (i) substances containing less than 1per cent of phenol, and (ii) nasal sprays, mouth washes, pastilles, lozenges, capsules, pessaries, ointments or suppositories containing less than 2.5 per cent of phenol.

52.Phenyl mercuric acetate all preparations thereof.
53.Phenyl mercuric chloride and all preparations thereof.
54.Phenyl mercuriurea and

55.Phosphorous white, Phosphorous red ,Phosphorous yellow.
56.Poppies, all preparation of, excepting red poppy petals and syrup of red poppies (Papaver rhoeas).
57.Potassium hydroxide and all preparations thereof containing more than 12 per cent of potassium hydroxide.
58.Precipitated, white denatured spirit.
59.Sodium chloropenthathionate or sodium pentachlorophenate.
60.Sodium hydroxide and all preparations thereof containing more than 12 per cent of sodium hydroxide.
61.Sodium nitrate, sodium nitrite.
62.Spirit denatured.
63.Sulphonal and its homologues whether containing 50 per cent methyl alcohol described as trional, tetronal, or by other trade name, mark or designation.
64.Strychnine, strychnine nitrate, strychnine sulphate strychnine hydrochloride, liquor strychnine hydrochloride and all its solutions and preparations containing 0.2% or more of strychnine
65.Systox
66.Tetra ethyl pyrophosphate and all preparations thereof.
67.Thimet; 0.0 diethyl-S-ethyl mercapto methyl phosphorodithioate.
68.Thiodan –hexa chlorbicyclohepyen-bisoxy-methylenesulfite.
69.Toxophane.
70.Warfarin
71.Zinc chloride and its liquid preparations (not being preparations intended to be used for soldering or other purely industrial purposes provided that they are contained in closed vessels labelled with the word “poisonous” and bearing the name and address of the seller and a notice of the special purposes for which the preparations are intended.
72.Zinc phosphide.
73.Marking nuts.
74.Tetra ethyl Lead.
75.Red Lead.
76.Tetra ethyl chloride.
77.Verdigris.
78.Abrus precatorius (gunja or ratti).
79.Bromadialone.
80.Aluminium Phosphide.
81.Metallic fluorides.
82.Thalium and its salts.
83.Triethyl Phosphate.
84.Tetra ethyl Phosphate.
85.Hexa ethyl tetra Phosphate.
86.Dinitro substituted phenol and their salts.
87.Schradan(octa-methyl-pyro phosphate)
88.Heptachlor.
89.Sodium flouro phosphate.
90.Potassium nitrate, potassium nitrite.

91.Organophosphorouscompounds
Malathion, parathion ,methyl parathion,Phorate,Diclorovas(DDVP), Quinolphos, Monocrotophos etc.

92.Organochloro compounds
Aldrin, Endrin Dieldrin, Endosulphan etc .

93.Carbamates and thiocarbamates
Aldicarb, Cartap, Carbaryl, Propoxur, Carbosulfan, Mancozeb, Zeneb, Ziram etc.

94.Synthetic Pyrethroids
Allethrin, Cypermethrin,d-trans Allethrin ,Deltamethrin etc.

95.Ethylene Dibromide(E.D.B).

96.2,4-D. 99. Alpha napthyl acetic acid(N.A.A)

Note: Preparations containing any of the above poisons are also covered by this list.

FORM-A

(See rule 3)

License for possession and sale of Poisons

Photograph of License Holder/Authorised Representative

Register No.

Name of Licensee

Locality of shop

Shri son of shri carrying on business as in the

(Name of Local Body) under Police Station, of District, is hereby licensed to possess for sale by retail and to sell by retail the following poisons namely:

1.
2.
3.
4.
5.

This license is subject to the conditions specified on reverse, the breach of any of which shall involve forfeiture of the license as well as liability to the penalties provided by Section 6 of the Poisons Act, 1919.

This license will remain in force from the date of grant for a period of five years unless previously terminated by the death of the license holder or cancelled by the Licensing authority concerned.

Seal and Signature of Licensing Authority

CONDITIONS

1.Subject to the provisions of sub-rule (1) of rule 5 and 8, a license granted or renewed on any day shall remain in force for a period of five years. Every applicant for the grant or renewal of a license shall make a written application to the Licensing Authority and such application shall bear a Court-fee stamp of hundred rupees.

2.A license shall terminate on the death of the license-holder or if granted to a Firm or company on the winding up or transfer of the business of such firm or company.

3.The License Authority may for any sufficient cause revoke or cancel any license.

4.Every sale of a poison shall so far as possible be conducted by the License-holder in person or where the license-holder is a Firm or a Company, through or under the supervision of an accredited representative of such firm or company.

5.A License-holder shall not sell any poison to any person unless the later is personally known to him or identified to his satisfaction by producing photo-identity card. He shall not sell any poison to any person who appears to him to be under the age of 18 years or to any person who does not appear to him to be in full

6.(1) Every license-holder shall maintain a register in which he shall enter all sales of poison other than those used by a chemist and druggist for dispensing or compounding in compliance with the prescription of a medical or veterinary practitioner. The following particulars shall be entered in such register in respect of each sale, namely:-

(a)Serial No.;
(b)Date of sale;
(c)Name, telephone number and address of the purchaser; (d)Name of the poison;
(e)Quantity sold;
(f)Purpose for which the poison was stated by the purchaser to be required;
(g)Signature of purchaser or thumb impression if illiterate or in case of purchase by post, date of letter or written order and reference to the origins in the file in which it is preserved; and
(h)Signature of dealer.

(2)In a separate portion of the register aforesaid entries shall be entered, in separate column for each poison, the quantity of each such poison sold daily and these entries shall be filed in from day to day.

(3)The signature under column(h) of the register shall be that of the License-holder himself or when the license-holder is a Firm or company that of an accredited representative of such Firm or company and shall be entered at the time of sale or dispatch to the purchaser. Such signature shall be held to imply that the writer has satisfied himself that the requirements of rule 14 have been fulfilled.

(4)All letters or written orders referred in column (g) of the register shall be preserved in original by the license-holder for a period of not less than two years from the date of the sale.

7.(1) A license-holder shall maintain in respect of each poison a stock register, in form II which shall contain the following particulars: (a)Serial No.;
(b)Date;
(c)Amount received name and address of person from whom received;
(d)Name and address of person from whom received
(e)Amount sold;
(f)Balance in stock; and
(g)Remarks.
(2) The stock register shall be balanced daily.

8.Any Magistrate or any Officer of Drugs Control Department or Police Officer above the rank of Sub-Inspector or any Medical Officer may at any time visit and inspect all poisons found there and the register maintained under rules 14 and 15.

9.All poisons kept for sale by any license-holder under these rules (except those kept by a chemist and druggist for the purpose of dispensing or compounding in compliance with the prescription of a medical or veterinary

practitioner) shall be kept in a box, almirah, room or building (according to the quantity maintained) which shall be secured by lock and key and in which no substance shall be placed other than poisons possessed in accordance with a license granted under the Act and each poison shall be kept within such box, almirah, room or building in a separate closed receptacle of glass, plastic, metal, or earthen-ware. Every such box, almirah, room or building and every such receptacle shall be marked with the word “Poison” in red characters in English and local language and in the case of receptacles containing separate poisons with the name of such poisons.

10. When any poison is sold, it shall be securely packed in closed receptacle or packet (according to the quantity) and every such receptacle or packet shall be labelled by the vendor with a label bearing the name of the poison in English and local language and the number and date of the entry in the register of sales specified in rule 14.

11. The license shall be held subject to the conditions mentioned above and to the provisions of the Act and of any rules, from time to time, made under the Act.

12. The licensee, if he intends to sell or possess for sale any poison for medicine use only shall first obtain a requisite license as required under section 18 (C) of the Drugs and Cosmetics Act, 1940.

FORM-B

(see rule 6)

Application for Grant/Renewal of License for possession and sale of Poisons

1.Name of the Applicant/firm:

2.Age of the Applicant:

3.Office and Residence Address:

4.License No. and Copy of License (applicable for renewal applications)

5.Documents regarding constitution of the applicant firm including nomination of the authorized representative:

6.Full Address of the place of business or shop or of storage for which a license is applied for, number of the flat and the name of the building with house number and the street or the road where it is situated:

7.Copy plan of the premises

8.Documents pertaining to the right of possession of the premises

9.Name of the poison proposed to be sold:

(Applicant should furnish three copies of self-attested photographs along with the application)

By order of the Governor,

(A.Mukhopadhaya)

Additional Chief Secretary to the government