

Revenue (1898) Department.

PRESS SERIES.

G.O., No. 59

Dated 31st January

[Despatch Abstract.]

Directing the publication in the
Fort St. George Gazette of a notification
making certain modifications in the rule
under the Opium Act 1878 in force in the
Madras Presidency.

Case No.	Plaintiff	Defendant	Amount	Filed	Term
100	John Doe	Jane Smith	\$100.00	1/1/20	12 mos
101	John Doe	Jane Smith	\$100.00	1/1/20	12 mos
102	John Doe	Jane Smith	\$100.00	1/1/20	12 mos
103	John Doe	Jane Smith	\$100.00	1/1/20	12 mos
104	John Doe	Jane Smith	\$100.00	1/1/20	12 mos
105	John Doe	Jane Smith	\$100.00	1/1/20	12 mos
106	John Doe	Jane Smith	\$100.00	1/1/20	12 mos
107	John Doe	Jane Smith	\$100.00	1/1/20	12 mos
108	John Doe	Jane Smith	\$100.00	1/1/20	12 mos
109	John Doe	Jane Smith	\$100.00	1/1/20	12 mos
110	John Doe	Jane Smith	\$100.00	1/1/20	12 mos

[illegible]

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18 4,000-10-V-97

CURRENT No. 618.

Print soon
and publish w/hf.
in the next issue
WV
3/1/18

From

The Govt. of India
Finance & Commerce Dept.

No. 240 Ex.

Order No. 598 *MS* 31st Jan^y 1898

communicated to the Board of Rev in continuation of

NYO no 739 dated 31-8-97.

2. The notification will be published in three successive issues of the Fort St. George Gazette.

Dated 19 Jan
Received 24
Registered 24
Enclosures /
Spare copies.

In the Board of Rev (S.O).

.. Supt. Genl. Pres.
with no b/g.

بیت

For the notification sent up to the Govt. of India,
please see on page 5 of G.O. no 739 dated 31-8-

The Govt. of India has amplified the definition of 'wholesale' and 'retail' sale in clauses (12) and (13) of rule I, and has framed new rules in lieu of the existing rules II and III. The remaining alterations are merely verbal. The reasons for the principal alterations are set out in paras 2 & 3 of the Current.

SUBJECT.

Approving with certain suggestions & for publication in the Fort St. George Gazette as draft notification making certain modifications in the Rules under the Opium Act 1848, in force in the Madras Presy.

C-271198
2-27-198

G.O.	No.	Department.	Date.

G.O.	No.	Department.	Date.

Fort St. George, January 31, 1897.

No. .—In exercise of the power conferred by section 5 of the Opium Act, 1878 (I of 1878), and with the previous sanction of the Governor-General in Council, the Governor of Fort St. George in Council is pleased to make the following amendments and additions to the rules published with Notification No. 556, dated the 26th October 1896, at pages 1431 to 1444 of the *Fort St. George Gazette* dated the 24th November 1896, Part I, namely:—

1. In clauses (12) and (13) of Rule I, after the words "three tclas" the following shall be added, namely:—

“(and in the Agencies of Ganjam, Vizagapatam and Godavari, such limit up to six tolas as the Board may from time to time prefer be).”

2. For rule II the following rule shall be substituted, namely:—

" II.—The manufacture of intoxicating drugs is permitted—

- (a) by any person, for his private consumption and not for sale, in such quantities and from such opium as he may be entitled to possess under Rule III or Rule VI:

- (b) by any farmer, licensed vendor or medical practitioner in accordance with the terms of his farm or license."

3. For Rule III the following rule shall be substituted, namely:—

" III.—Any person may have in his possession—

- (a) in the Agencies of Ganjam, Vizagapatam and Godavari any quantity up to such limit, not exceeding six tolas, as the Board may from time to time prescribe, and elsewhere any quantity not exceeding three tolas, of raw opium or intoxicating drugs used for purposes other than smoking :

- (b) any quantity not exceeding five seers of nappi heads:

- (c) any quantity not exceeding one tola of intoxicating drugs used for smoking :

(c) Any quantity not exceeding one tola of intoxicating drugs used for smoking: Provided that the said articles not being intoxicating drugs used for smoking, shall have been obtained by purchase from the Government or from a farmer, licensed vendor or medical practitioner; or, being intoxicating drugs whether used for smoking or other purposes, shall have been manufactured for private consumption from opium so obtained."

4. After Rule VII the following rule shall be inserted, namely:—

"VIIA.—The transport of opium, intoxicating drugs, and poppy heads on account of Government is permitted."

5. To Rule VIII the following paragraph shall be added, namely:—

"For the purposes of this rule the Agencies of Ganjam, Vizagapatam and Godavari shall be deemed to be separate districts."

6. In ^{the} ~~the~~ XXVIII. after the words "three tolas" the following shall be added, namely:—

and in the Agencies of Ganjam, Vizagapatam and Godavari up to such limit not exceeding six tolas as the Board may from time to time prescribe."

7. In Rule XXXI, after the words "put up to auction" the following shall be added, namely:—

"(or in the Agencies of Ganjam, Vizagapatam and Godavari may be granted on tenders, or for fixed fees or free of fee, as the Board may order.)"

6. For the first fifty-eight words of Rule XXXV the following shall be substituted, namely:—

"With the sanction of the Board, the Collector may let in farm for a term not exceeding five years the duties leviable on the supply and vend of opium, or the manufacture and vend of intoxicating drugs used for purposes other than smoking, either jointly or severally. The Board may prescribe rules (a) for the invitation and acceptance of tenders for such farm or for its sale by public auction."

G. S. FORBES,
Ag. Secy. to Govt.

12/2/98

59

No. —In exercise of the power conferred by section 5 of the Opium Act, 1878 (1 of 1878), and with the previous sanction of the Governor General in Council, the Governor of Fort St. George in Council is pleased to make the following amendments and additions to the rules published with Notification No. 556, dated the 26th October, 1896, at pages 1431 to 1444 of the *Fort St. George Gazette*, dated the 24th November, 1896, Part I, namely:—

1. In clauses (12) and (13) of Rule I, after the words "three tolas" the following shall be added, namely:—

"(and in the Agencies of Ganjam, Godavari and Vizagapatam, such limit up to six tolas as the Board may from time to time prescribe)."

2. For rule II the following rule shall be substituted, namely:—

"II.—The manufacture of intoxicating drugs is permitted—

(a) by any person, for his private consumption and not for sale, in such quantities and from such opium as he may be entitled to possess under Rule III or Rule VI;

(b) by any farmer, licensed vendor or medical practitioner in accordance with the terms of his farm or license."

3. For Rule III the following rule shall be substituted, namely:—

"III.—Any person may have in his possession—

(a) in the Agencies of Ganjam, Godavari and Vizagapatam, any quantity up to such limit, not exceeding six tolas, as the Board may from time to time prescribe, and elsewhere any quantity not exceeding three tolas, of raw opium or intoxicating drugs used for purposes other than smoking;

(b) any quantity not exceeding five seers of poppy heads;

(c) any quantity not exceeding one tola of intoxicating drugs used for smoking:

Provided that the said articles not being intoxicating drugs used for smoking, shall have been obtained by purchase from the Government or from a farmer, licensed vendor or medical practitioner; or, being intoxicating drugs whether used for smoking or other purposes, shall have been manufactured for private consumption from opium so obtained."

Handwritten signature/initials

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4. After Rule VII the following rule shall be inserted, namely:—

"VIIA.—The transport of opium, intoxicating drugs, and poppy heads on account of Government is permitted."

5. To Rule VIII the following paragraph shall be added, namely:—

"For the purposes of this rule the Agencies of Ganjam, Godavari and Vizagapatam shall be deemed to be separate districts."

6. In Rule XXVIII, after the words "three tolas" the following shall be added, namely:—

"(and in the Agencies of Ganjam, Godavari and Vizagapatam up to such limit not exceeding six tolas as the Board may from time to time prescribe)."

7. In Rule XXXI, after the words "put up to auction" the following shall be added, namely:—

"(or in the Agencies of Ganjam, Godavari and Vizagapatam may be granted on tenders, or for fixed fees or free of fee, as the Board may order.)"

8. For the first fifty-eight words of Rule XXXV the following shall be substituted, namely:—

"With the sanction of the Board, the Collector may let in farm for a term not exceeding five years the duties leviable on the supply and vend of opium, or the manufacture and vend of intoxicating drugs used for purposes other than smoking, either jointly or severally. The Board may prescribe rules (a) for the invitation and acceptance of tenders for such farm or for its sale by public auction."

110
No. 270 Ex.

GOVERNMENT OF INDIA.

FINANCE AND COMMERCE DEPARTMENT.

To

THE SECRETARY TO THE GOVERNMENT OF MADRAS,

REVENUE DEPARTMENT.

Calcutta, the 19th January 1898.

SIR,

I AM directed to acknowledge the receipt of your letter No. 740, dated the 31st August 1897, submitting, for the approval of the Government of India, a draft Notification making certain modifications in the Rules under the Opium Act, 1878, in force in the Madras Presidency with a view (1) to adapt them to the special circumstances of the Agency tracts of Ganjam, Vizagapatam, and Godavari, and (2) to provide for the transport, on account of the Government, of opium, intoxicating drugs and poppy-heads throughout the Presidency.

2. I am to say that the Government of India approve in substance of the amendments proposed, but that they are of opinion that their form might with advantage be modified as in the revised draft Notification enclosed. The principal modifications therein made, as compared with the draft submitted with your letter, are the following:—

- (1) The definitions of "wholesale" and "retail" sale in clauses (12) and (13) of Rule I of the Madras Opium Rules have been amplified in accordance with the special limits of possession and sale to be allowed in the Agency tracts by the amendment of Rules III and XXVIII.
- (2) In the new Rule VIIA proposed by the Madras Government, the words "used for purposes other than smoking" have been omitted as unnecessary, for under present conditions the transport of smoking preparations by or on account of Government is out of the question.
- (3) The amendment of Rule XXXI has been worded so as to make it clear that the words inserted are qualified by the words "at the commencement of each year" occurring at the close of the penultimate sentence of the rule as it now stands, which is presumably what is intended.
- (4) In the amendment of Rule XXXV it has been made clear that the words "monopolies of supply and of vend" and "manufacture and vend" relate to the monopolies of supply and vend of opium, and manufacture and vend of intoxicating drugs respectively.

3. Opportunity has also been taken of the present amendment of the Rules to make provision therein (a) for the manufacture without a license by private individuals for their domestic consumption of intoxicating drugs, other than those used for smoking, in such quantities and from such opium as they may be lawfully entitled to possess; (b) for the possession by these persons of

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the said drugs when so manufactured; and (c) for the manufacture by medical practitioners licensed under Rule V of similar drugs in accordance with the terms of their license. The drugs in question, I am to observe, include medicinal and *quasi*-medicinal preparations of opium; and in dealing with the revision of the Opium Rules of other provinces with reference to the policy of prohibiting the sale of preparations of opium used for smoking and of restricting their manufacture and use by private individuals, the Government of India have decided that it is unnecessary to extend the special restrictions necessary in regard to the manufacture and use of these latter to non-smoking preparations. Rules II and III of the existing Madras Rules, which permit of the manufacture of drugs not used for smoking only by farmers and licensed vendors in accordance with the terms of their license, and allow of their possession by private persons only if obtained by purchase from licensed vendors etc., have accordingly been amended so as to give effect to the above decision.

4. I am to say that if the revised draft Notification herewith forwarded meets with the approval of His Excellency the Governor in Council, it may be published in the *Fort St. George Gazette* without further reference to this Department.

I have the honour to be,

SIR,

Your most obedient Servant,



Offg. Depy. Secy. to the Govt. of India.

GOVERNMENT OF INDIA.
Finance and Commerce Department.

To
THE SECY. TO THE GOVT. OF MADRAS,
REVENUE DEPARTMENT.

No. 270 Ex.

Dated Calcutta, the 19th January 1898.

Government (1898) of Madras.
REVENUE.

Recd.

Enclosures

Regd.

1898.

Spare copies

G.O., No. 59, 31st January 1898.

JANUARY.

Opium Act, 1878.

Directing the publication, in three successive issues of the *Fort St. George Gazette*, of a notification making certain modifications in the rules under the — in force in the Madras Presidency.

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

READ—the following letter from W. S. MEYER, Esq., Officiating Deputy Secretary to the Government of India, Finance and Commerce Department, to the Secretary to the Government of Madras, Revenue Department, dated Calcutta, the 19th January 1898, No. 270-Ex. :—

I am directed to acknowledge the receipt of your letter No. 740, dated the 31st August 1897, submitting, for the approval of the Government of India, a draft notification making certain modifications in the rules under the Opium Act, 1878, in force in the Madras Presidency with a view (1) to adapt them to the special circumstances of the Agency tracts of Ganjam, Vizagapatam and Godavari, and (2) to provide for the transport, on account of the Government, of opium, intoxicating drugs and poppy-heads throughout the Presidency.

2. I am to say that the Government of India approve in substance of the amendments proposed, but that they are of opinion that their form might, with advantage, be modified as in the revised draft notification enclosed. The principal modifications therein made, as compared with the draft submitted with your letter, are the following :—

(1) The definitions of "wholesale" and "retail" sale in clauses (12) and (13) of Rule I of the Madras Opium Rules have been amplified in accordance with the special limits of possession and sale to be allowed in the Agency tracts by the amendment of Rules III and XXVIII.

(2) In the new Rule VIIA proposed by the Madras Government, the words "used for purposes other than smoking" have been omitted as unnecessary, for under present conditions the transport of smoking preparations by or on account of Government is out of the question.

(3) The amendment of Rule XXXI has been worded so as to make it clear that the words inserted are qualified by the words "at the commencement of each year" occurring at the close of the penultimate sentence of the rule as it now stands, which is presumably what is intended.

(4) In the amendment of Rule XXXV it has been made clear that the words "monopolies of supply and of vend" and "manufacture and vend" relate to the monopolies of supply and vend of opium, and manufacture and vend of intoxicating drugs, respectively.

3. Opportunity has also been taken of the present amendment to make provision therein (a) for the manufacture with individuals for their domestic consumption of intoxicating drugs used for smoking, in such quantities and from such sources as to be entitled to possess; (b) for the possession by the individuals of such manufactured drugs; and (c) for the manufacture of such drugs in accordance with the provisions of Rule V of similar drugs in accordance with the provisions of the question, I am to observe, include medicinal opium; and in dealing with the revision of the policy of prohibiting the manufacture of smoking and of restricting their manufacture.

J. P. O.—No. 753 F. & C. D. -18-1-98.—50.—R. N. D.

Government of India have decided that it is unnecessary to extend the special restrictions necessary in regard to the manufacture and use of these latter to non-smoking preparations. Rules II and III of the existing Madras Rules, which permit of the manufacture of drugs not used for smoking only by farmers and licensed vendors in accordance with the terms of their license, and allow of their possession by private persons only if obtained by purchase from licensed vendors, &c., have accordingly been amended so as to give effect to the above decision.

4. I am to say that if the revised draft notification herewith forwarded meets with the approval of His Excellency the Governor in Council, it may be published in the *Fort St. George Gazette* without further reference to this department.

ORDER—No. 59, Revenue, dated 31st January 1898.

Separate Revenue, No. 8.

Communicated to the Board of Revenue in continuation of G.O., No. 739, dated 31st August 1897.

2. The notification will be published in three successive issues of the *Fort St. George Gazette*.

(True Extract.)

(Signed) G. S. FORBES,
Ag. Secretary to Government.

To the Board of Revenue (Separate Revenue).
" the Superintendent, Government Press,
with notification.

NOTIFICATION.

In exercise of the power conferred by section 5 of the Opium Act, 1878 (I of 1878), and with the previous sanction of the Governor-General in Council, the Governor of Fort St. George in Council is pleased to make the following amendments and additions to the rules published with Notification No. 556, dated the 26th October 1896, at pages 1431 to 1444 of the *Fort St. George Gazette* dated the 24th November 1896, Part I, namely :—

1. In clauses (12) and (13) of Rule I, after the words "three tolas" the following shall be added, namely :—

"(and in the Agencies of Ganjam, Vizagapatam and Godavari, such limit up to six tolas as the Board may from time to time prescribe)."

2. For rule II the following rule shall be substituted, namely :—

"II.—The manufacture of intoxicating drugs is permitted—

(a) by any person, for his private consumption and not for sale, in such quantities and from such opium as he may be entitled to possess under Rule III or Rule VI;

(b) by any farmer, licensed vendor or medical practitioner in accordance with the terms of his farm or license."

the following rule shall be substituted, namely :—

"on may have in his possession—

Agencies of Ganjam, Vizagapatam and Godavari any quantity up to not exceeding six tolas, as the Board may from time to time elsewhere any quantity not exceeding three tolas, of raw drugs used for purposes other than smoking; and five seers of poppy heads;

Opium A. one tola of intoxicating drugs used for smoking; not being intoxicating drugs used for smoking, purchase from the Government or from a farmer, or, being intoxicating drugs whether purchased from the Government or from a farmer, shall have been manufactured for private use."

Directing the publication, in three successive issues of the *Fort St. George Gazette*, notification making certain modifications in the rules, shall have been manufactured for private use."

4. After Rule VII the following rule shall be inserted, namely:—
"VIA.—The transport of opium, intoxicating drugs, and poppy heads on account of Government is permitted."
5. To Rule VIII the following paragraph shall be added, namely:—
"For the purposes of this rule the Agencies of Ganjam, Vizagapatam and Godavari shall be deemed to be separate districts."
6. In Rule XXVIII, after the words "three tolas" the following shall be added, namely:—
"(and in the Agencies of Ganjam, Vizagapatam and Godavari up to such limit not exceeding six tolas as the Board may from time to time prescribe.)"
7. In Rule XXXI, after the words "put up to auction" the following shall be added, namely:—
"(or in the Agencies of Ganjam, Vizagapatam and Godavari may be granted on tenders, or for fixed fees or free of fee, as the Board may order.)"
8. For the first fifty-eight words of Rule XXXV the following shall be substituted, namely:—
"With the sanction of the Board, the Collector may let in farm for a term not exceeding five years the duties leviable on the supply and vend of opium, or the manufacture and vend of intoxicating drugs used for purposes other than smoking, either jointly or severally. The Board may prescribe rules (a) for the invitation and acceptance of tenders for such farm or for its sale by public auction;".

Exd. Shalk Kharim.

40 Copies.

First copy sent to Press

Returned for signature.

Despatched in print.

Printed again G.O., No.

104

REVENUE NO.

REVENUE NO. 59

ORDER OF GOVERNMENT

ORDER OF GOVERNMENT

REVENUE NO. 59

REVENUE NO. 59, 1898, MEANT FOR DISPATCH
IN ORIGINAL.

N.C.

Approved in full.
Respectfully approved.
Printed at the end only.
Qualified for the end only.

Regular No.
Miscellaneous

of 189

Regular Miscellaneous No.		To whom given.	When taken out.
No.	Year.		
7850	1909	R. G. L.	5-11-09
7821	1909	R. G. L.	5-11-09

of 189 .

[illegible]

Regular No. 60-31-1- of 1898
Miscellaneous

FOR WHAT CURRENT.		To whom given.	When taken out.
No.	Year.		
7133/28			22/10/28
I 2 ann 52		L. K. M.	10.7.50
18/4/40 B 1		433/20	10/10/49-7-60
8.7.67		RA 100	
		RA 100	