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TRAVANCORE MORPHIA RULES.

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THE TRAVANCORE MORPHIA RULES.

R. Dis. 1842/29 Development, dated 16th August 1922, amended by R. Dis. 2033/23, dated 10-11-22 and R. O. C. 1361/24/Dev., dated 11-12-25, R. Dis. 220/1/27 dated 19-2-27 and R. Dis. 660/29/Devpt., dated 22-4-29.

In exercise of the powers conferred by Sections 6 and 35 of the Opium Regulation, IV of 1090. the Government are pleased to make the following rules to regulate the manufacture, possession, import, export, transport and sale of Morphia drugs in Travancore.

These rules may be cited as the Travancore Morphia Rules.

I. INTERPRETATION.

2. In these rules unless there is something repugnant in the subject or context :—

(a) "The Regulation" means the Travancore Opium Regulation, IV of 1090.

(b) "Approved practitioner" means :—

i. Any person registered as a medical practitioner under the Medical Act, 1858, and any Act of British Parliament amending the same, or under any law for the registration of medical practitioners for the time being in force in any part of British India or Travancore, or

ii. Any person registered as a dentist under the Dentists Act 1878, and any Act of British Parliament amending the same, or

iii. Any person possessed of qualifications which render him eligible for registration as a medical practitioner or dentist, as the case may be, under the Medical Act, 1858 the Dentists' Act, 1878, and any Act of British Parliament amending the same Acts, or under any law for the registration of medical practitioners or dentists for the time being in force in any part of British India and approved by the Excise Commissioner for the purpose of these rules or of corresponding rules for the time being in force in any part of British India or Travancore.

iv. Any other person engaged in medical or veterinary practice and approved by the Excise Commissioner for the purpose of these rules or of corresponding rules for the time being in force in any part of British India or in Travancore.

(c) "Excise Commissioner" means the Chief Executive Officer in charge of the Separate Revenue Department comprising Salt, Abkari, Tobacco, Opium, Land and Sea Customs.

(d) "Assistant Excise Commissioner" means the officer in executive charge of a Separate Revenue Division subject to the control of the Excise Commissioner.

(e) "Licensed Chemist" means a person who has obtained a license under these rules for the manufacture, possession and sale on prescription of morphia drugs.

(f) "Licensed dealer in Morphia" means a person who has obtained a license under these rules for the manufacture, possession and sale otherwise than on prescription of morphia drugs.

(g) "Government" means the Government of His Highness the Maha Raja of Travancore.

(h) "Morphia drug" means any alkaloid of opium, or salt thereof, all derivatives direct or indirect, of such alkaloids and their salts, the salts of such derivatives, and preparations containing any of these ingredients and includes also raw opium which has been heated to 60 C and contains not less than 10 per cent. of morphine *i. e.*, C17 H19 NO 3 whether or not it be powdered or granulated or mixed with indifferent materials.

(i) "Prescription" means a prescription given by an approved practitioner for the supply of morphia drugs to a patient in accordance with these rules.

II. MANUFACTURE.

3. A licensed dealer in morphia or a licensed chemist may subject to the conditions of his license, manufacture morphia drugs from opium or morphia drugs lawfully possessed by him.

4. A licensed chemist may, subject to the provisions of rule 20, dispense morphia drugs on prescription.

III. POSSESSION.

5. Any person may possess morphia drugs in such quantity as has been at one time dispensed and sold for his use in accordance with the provisions of rules 4 and 20 or of corresponding rules for the time being in force in any part of British India.

6. Any approved practitioner may possess, for his use in his practice but not for sale, morphia drugs containing not more than 120 grains of morphia or active principles of morphia in the aggregate; provided that the Excise Commissioner, may, by special order, authorise any such practitioner to possess as aforesaid any larger quantity.

7. A person authorised in this behalf by the Excise Commissioner by an order made under rule 22 may possess morphia drugs in such quantity and in such manner as may be specified in that order.

8. A licensed dealer in morphia or licensed chemist may possess morphia drugs in such quantity and in such manner as may be specified in his license.

9. A person to whom a pass has been granted under these rules for the import, export or transport of morphia drugs may possess morphia drugs in such quantity and in such manner as may be specified in his pass.

IV. IMPORT, EXPORT AND TRANSPORT.

10. Any person may import, export and transport such quantity of morphia drugs as he may lawfully possess under rule 5.

11. An approved practitioner may import, export and transport such quantity of morphia drugs as he may lawfully possess under rule 6.

12. A person authorised in this behalf by the Excise Commissioner by an order made under rule 22 may import morphia drugs in such quantity and in such manner as may be specified in that order on an indent countersigned by the Chief Medical Officer of the District.

13. A person to whom a pass has been granted under these rules for the import of morphia drugs may import the drugs in such quantity and in such manner as may be specified in the pass granted to him.

14. When a pass has been granted under the rules for the time being in force in any part of British India or any Indian State or Foreign Territory, to transport morphia drugs from Travancore into that part of British India, or Indian State or Foreign Territory, and when the pass so granted has been countersigned by the Excise Commissioner as required by rule 26 (1) of these Rules, a licensed dealer in morphia may, subject to the conditions of his license and the provisions of the Travancore Morphia Rules, export morphia drugs, in such quantity, in such manner, within such period and by such route as may be specified in the pass.

15. A person authorised in this behalf by the Excise Commissioner by a special order made under rule 23 may export morphia drugs in such quantity and in such manner as may be specified in that order.

16. A person to whom a pass has been granted under these rules for the transport of morphia drugs may transport the drugs in such quantity and in such manner as may be specified in the pass granted to him.

17. Every person importing, exporting or transporting morphia drugs shall comply with such general or special directions as may be given by the Excise Commissioner.

18. Nothing in these rules shall be deemed to permit:—

(1) The import of drugs from any foreign territory or any part of India outside Travancore, unless an import certificate has been previously obtained from the Dewan, and countersigned by the Agent to the Governor-General, Madras States, and unless the duty, if any, leviable at the place of importation has been paid and the pass has been endorsed by the customs Officer, and in the case of imports from any part of British India unless the rules in force in that part of British India relating to morphia drugs have also been complied with.

NOTE.—(a) An application for an import certificate should give

(i) the name, address and business of the importer and the port of import;

(ii) the exact description and quantity of the drugs to be imported;

(iii) the name and address of the Firm in the exporting country from which the drug is required; and

(iv) the purpose for which the drug is required.

(b) The application for the import certificate should be made to the Excise Commissioner who will after due enquiry report to the Government as to the *bona fides* of the application.

(2) The export of morphia drugs to any part of India outside Travancore or to any foreign territory unless a certificate is produced from the Government of the importing country approving of the import and the Dewan's consent to the export is obtained.

(3) The import, export or transport of morphia drugs by post or anchal.

V. SALE.

19. A licensed dealer in morphia may, subject to the conditions of his license, sell otherwise than on prescription—

(a) to another dealer in morphia or chemist licensed under these rules,

(b) to an approved practitioner,

(c) to a person authorised under rule 22 of these rules, morphia drugs not exceeding the quantity which such dealer, chemist, practitioner or person may lawfully possess, provided that (i) the drug shall not be delivered to any person not licensed or otherwise authorised to be in possession of the drug, who purports to be sent by or on behalf of a person so licensed or authorised, unless such person produce an authority in writing signed by the person so licensed or authorised to receive the drug on his behalf and unless the licensed dealer is satisfied that the authority is genuine.

(2) such drugs shall be sold only in packages or bottles plainly marked with the amount of the drugs in each package or bottle, and

(3) any preparation, admixture, extract or other substance containing such drugs shall be sold only in packages or bottles plainly marked.

(a) in the case of a powder, solution or ointment, with the total amount thereof in each package or bottle and the percentage of the drug in the powder, solution or ointment;

(b) in the case of tablets or other articles with the amount of the drug in each article and the number of articles in the package or bottle.

19 A. Every bottle or package containing morphia drugs shall be marked with the percentage or proportion or amount of morphia or active principles of morphia contained in the drug.

20. A licensed chemist may sell morphia drugs on prescription, subject to the following conditions, *viz.*—

(a) He shall sell morphia drugs in such quantity and for the use of such person only as may be specified in the prescription.

(b) If the prescription does not bear a superscription by an approved practitioner stating that it is to be repeated and at what interval of time it is to be repeated and how many times it is to be repeated, he shall sell morphia drugs once only on such prescription and shall enter on the prescription the date of sale and shall sign or seal the prescription and shall keep a copy of the prescription.

(c) If the prescription bears a superscription as aforesaid, he shall enter on the prescription the date of sale and shall sign or seal the prescription: provided that if it appears that morphia drugs have already been sold on the prescription three times or such number of times less than three as the prescription is required to be repeated, or that the interval specified in the prescription has not elapsed since the prescription was last dispensed, he shall not sell morphia drugs on such prescription unless it is further superscribed in that behalf by an approved practitioner.

(d) Any other conditions that may be contained in his license.

VI. CONDITIONS RELATING TO PRESCRIPTIONS:—

20 A. A prescription for the supply of morphia drugs must comply with the following conditions:—

(1) The prescription must be in writing, must be dated and signed by the approved practitioner with his full name and address and must specify the name and address of the person to whom the prescription is given and the total amount of the drug to be supplied on the prescription.

(2) The prescription shall not be given for the use of prescriber himself.

(3) A prescription shall only be given by a registered dentist for the purpose of dental treatment and shall be marked 'for local dental treatment only.'

(4) A prescription shall only be given by a registered Veterinary Surgeon for the purpose of treatment of animals and shall be marked 'for animal treatment only'.

(5) An approved practitioner shall not give any prescription for the supply of any of the drugs otherwise than in accordance with the foregoing conditions.

VII. ACCOUNTS.

20 B. Medical Practitioners, registered Dentists and registered Veterinary Surgeons shall maintain accounts in writing in the appended form in respect of morphia drugs dispensed by them. Licensed dealers in morphia and licensed chemists shall maintain a written record of every sale of the drugs in such manner as the Excise Commissioner may direct.

VIII. APPROVAL, AUTHORISATION, LICENSES AND PASSES.

21. The Excise Commissioner may approve for the purposes of rule 2 (b) of these rules any person engaged in medical and veterinary practice.

22. The Excise Commissioner may authorise any approved practitioner in managing or supervising charge of a hospital or dispensary to possess, import and transport morphia drugs in such quantity and in such manner as may be specified by him in that order:

Provided that no such special order can be issued by the Excise Commissioner for the import of morphia drugs without previous sanction of the Dewan.

23. The Excise Commissioner may, in case where the requirements under Rule 18 clause 2, are complied with, authorise any person to export morphia drugs.

24. (1) The Excise Commissioner or any officer empowered in this behalf by the Government may grant to any person a morphia dealer's license permitting him to manufacture, possess and subject to the provisions of rule 19 to sell morphia drugs.

(2) The Excise Commissioner or any officer empowered by Government in this behalf may grant to any person a chemist's license, permitting him to manufacture, possess and subject to the provisions of Rule 20, to sell morphia drugs, provided that such license shall not authorise such Chemist to possess morphia drugs containing more than 4 oz. of morphia or active principles of morphia in the aggregate.

25. The Excise Commissioner or such other officer as the Government may empower in this behalf, may grant to any licensed dealer in morphia or licensed chemist a pass for the import of morphia drugs not exceeding the quantity which such dealer or chemist may lawfully possess.

26. (1) When a pass has been granted under the rules for the time being in force in any part of British India or any Indian State or foreign territory, any person to transport morphia drugs from Travancore into such part of British India or Indian State or Foreign Territory, such person shall present such pass to the Excise Commissioner who shall enter therein the period for which the pass shall remain in force and the route by which and the person (if any) in whose charge the consignment is to be conveyed and the number and description of the packages and shall countersign the pass.

(b) to an approved practitioner,

(c) to a person authorised under rule 22 of these rules, morphia drugs not exceeding the quantity which such dealer, chemist, practitioner or person may lawfully possess, provided that (i) the drug shall not be delivered to any person not licensed or otherwise authorised to be in possession of the drug, who purports to be sent by or on behalf of a person so licensed or authorised, unless such person produce an authority in writing signed by the person so licensed or authorised to receive the drug on his behalf and unless the licensed dealer is satisfied that the authority is genuine.

(2) such drugs shall be sold only in packages or bottles plainly marked with the amount of the drugs in each package or bottle, and

(3) any preparation, admixture, extract or other substance containing such drugs shall be sold only in packages or bottles plainly marked.

(a) in the case of a powder, solution or ointment, with the total amount thereof in each package or bottle and the percentage of the drug in the powder, solution or ointment;

(b) in the case of tablets or other articles with the amount of the drug in each article and the number of articles in the package or bottle.

19 A. Every bottle or package containing morphia drugs shall be marked with the percentage or proportion or amount of morphia or active principles of morphia contained in the drug.

20. A licensed chemist may sell morphia drugs on prescription, subject to the following conditions, viz.—

(a) He shall sell morphia drugs in such quantity and for the use of such person only as may be specified in the prescription.

(b) If the prescription does not bear a superscription by an approved practitioner stating that it is to be repeated and at what interval of time it is to be repeated and how many times it is to be repeated, he shall sell morphia drugs once only on such prescription and shall enter on the prescription the date of sale and shall sign or seal the prescription and shall keep a copy of the prescription.

(c) If the prescription bears a superscription as aforesaid, he shall enter on the prescription the date of sale and shall sign or seal the prescription: provided that if it appears that morphia drugs have already been sold on the prescription three times or such number of times less than three as the prescription is required to be repeated, or that the interval specified in the superscription has not elapsed since the prescription was last dispensed, he shall not sell morphia drugs on such prescription unless it is further superscribed in that behalf by an approved practitioner.

(d) Any other conditions that may be contained in his license.

VI. CONDITIONS RELATING TO PRESCRIPTIONS:

20 A. A prescription for the supply of morphia drugs must comply with the following conditions:—

(1) The prescription must be in writing, must be dated and signed by the approved practitioner with his full name and address and must specify the name and address of the person to whom the prescription is given and the total amount of the drug to be supplied on the prescription.

(2) The prescription shall not be given for the use of prescriber himself.

(3) A prescription shall only be given by a registered dentist for the purpose of dental treatment and shall be marked 'for local dental treatment only.'

(4) A prescription shall only be given by a registered Veterinary Surgeon for the purpose of treatment of animals and shall be marked 'for animal treatment only'.

(5) An approved practitioner shall not give any prescription for the supply of any of the drugs otherwise than in accordance with the foregoing conditions.

VII. ACCOUNTS.

20 B. Medical Practitioners, registered Dentists and registered Veterinary Surgeons shall maintain accounts in writing in the appended form in respect of morphia drugs dispensed by them. Licensed dealers in morphia and licensed chemists shall maintain a written record of every sale of the drugs in such manner as the Excise Commissioner may direct.

VIII. APPROVAL, AUTHORIZATION, LICENSES AND PASSES.

21. The Excise Commissioner may approve for the purposes of rule 2 (b) of these rules any person engaged in medical and veterinary practice.

22. The Excise Commissioner may authorise any approved practitioner in managing or supervising charge of a hospital or dispensary to possess, import and transport morphia drugs in such quantity and in such manner as may be specified by him in that order:

Provided that no such special order can be issued by the Excise Commissioner for the import of morphia drugs without previous sanction of the Dewan.

23. The Excise Commissioner may, in case where the requirements under Rule 18 clause 2, are complied with, authorise any person to export morphia drugs.

24. (1) The Excise Commissioner or any officer empowered in this behalf by the Government may grant to any person a morphia dealer's license permitting him to manufacture, possess and subject to the provisions of rule 19 to sell morphia drugs.

(2) The Excise Commissioner or any officer empowered by Government in this behalf may grant to any person a chemist's license, permitting him to manufacture, possess and subject to the provisions of Rule 20, to sell morphia drugs, provided that such license shall not authorise such Chemist to possess morphia drugs containing more than 4 oz. of morphia or active principles of morphia in the aggregate.

25. The Excise Commissioner or such other officer as the Government may empower in this behalf, may grant to any licensed dealer in morphia or licensed chemist a pass for the import of morphia drugs not exceeding the quantity which such dealer or chemist may lawfully possess.

26. (1) When a pass has been granted under the rules for the time being in force in any part of British India or any Indian State or foreign territory, any person to transport morphia drugs from Travancore into such part of British India or Indian State or Foreign Territory, such person shall present such pass to the Excise Commissioner who shall enter therein the period for which the pass shall remain in force and the rate by which and the person (if any) in whose charge the consignment is to be conveyed and the number and description of the packages and shall countersign the pass.

(2) When a pass has been granted to any person under these rules for the import of morphia drugs from foreign territories, such person shall present such pass to the Customs Officer at the place of import, who shall enter therein the particulars specified in sub-rule (1) and shall countersign the pass.

27. The Excise Commissioner or such other officer as the Government may empower in this behalf may grant to any licensed dealer in morphia or licensed chemist a pass for the transport of morphia drugs not exceeding the quantity which such dealer or chemist may lawfully possess.

28. Subject to the provisions of the Opium Regulation, IV of 1090, and of these rules, every license or pass under these rules shall be in such form and shall contain such particulars and shall be granted on payment of such fees for such period, and subject to such conditions as the Government may direct.

29. (1) Subject to any directions that the Government may give in this behalf the officer who has granted a license to or has by order approved or authorised any person under these rules may cancel or suspend such license or order.

(i) If such person has -

(a) failed to pay any duty or fee payable by him,

(b) by himself or by any servant or person acting on his behalf committed any breach of the conditions of such license or order of these rules,

(c) been convicted of any offence under the Opium Regulation or under the law for the time being in force relating Excise revenue or of any criminal offence,

(ii) if it is a condition of such license or order that it may be cancelled or suspended at the will of such officer;

(iii) in any other case, after giving to such person fifteen days notice; and shall cancel such license or order within fifteen days on receiving from such person notice that he desires to surrender the same.

(2) When such license or order has been cancelled or suspended as aforesaid, such person shall forthwith make over to the Assistant Excise Commissioner of the Division all morphia drugs in his possession.

IX. DISPOSAL OF MORPHIA DRUGS AND CONFISCATED ARTICLES.

30. The Assistant Excise Commissioner shall cause all morphia drugs confiscated under the Regulation or delivered to him under rule 29 to be examined by the Chemical Examiner to Government or by such other officer as the Government may direct. If any such morphia drugs are certified by such officer to be fit for use, the Assistant Excise Commissioner may sell them to any dealer in morphia or chemist licensed under these rules or under any rules for the time being in force, or to any person authorised by an order under rule 22 or any corresponding rules in force as aforesaid. The Assistant Excise Commissioner may require any licensed dealer in morphia or chemist to purchase at such price as the Assistant Excise Commissioner may direct any quantity of such morphia drugs not exceeding such quantity as the Assistant Excise Commissioner may determine to be ordinarily saleable by him in two months. If any such morphia drugs are certified as aforesaid to be unfit for use, the Assistant Excise Commissioner shall cause them to be destroyed.

