

GOVERNMENT OF TELANGANA

ABSTRACT

RULES – The Andhra Pradesh Reorganisation Act, 2014 – The Andhra Pradesh Narcotic Drugs and Psychotropic Substances Rules, 1986 – Adaptation to the State of Telangana – Notification – Orders – Issued.

REVENUE (EXCISE-II) DEPARTMENT**G.O.MS.No. 147****Dated: 01-06-2016**

Read the following

- 1) G.O.Ms.No.186, Revenue (E) Department, dated 14.2.1986.
- 2) G.O.Ms.No.882, Revenue (Ex-III) Department, dated 21.8.2009.
- 3) The Andhra Pradesh Reorganization Act, 2014 (Central Act No.6 of 2014).
- 4) From the Commissioner of Prohibition and Excise, Telangana, Hyderabad Lr.Cr.No.149/2016/DOE/H2, dated 12.4.2016.

* * *

ORDER:

Whereas, by virtue of section 3 of the Andhra Pradesh Reorganization Act, 2014 (Central Act No.6 of 2014), the State of Telangana comprising the territories specified therein has been formed on and from the appointed day i.e., 02.06.2014;

2. And whereas, in section 101 of the Andhra Pradesh Reorganization Act, 2014, a provision has been made for the purpose of facilitating the application of any law (as defined in section 2 (f) of the Act), made before the appointed day, in relation to the State of Andhra Pradesh or the State of Telangana, the appropriate Government may before expiration of two years from 02.06.2014, by order, make such adaptations and modifications of the law, whether by way of repeal or amendment, as may be necessary or expedient, and thereupon every such law shall have effect subject to the adaptations and modifications so made until altered, repealed or amended by a competent Legislature or other competent authority;

3. And whereas, it has become necessary to adapt the Andhra Pradesh Narcotic Drugs and Psychotropic Substances Rules, 1986, made under the Andhra Pradesh Excise Act, 1968 (Act No.17 of 1968), the Narcotic Drugs and Psychotropic Substances Act, 1985 (Central Act No.61 of 1985) are in force as on 01.06.2014 for the purpose of facilitating their application in relation to the State of Telangana;

4. Now, therefore, after careful examination, Government have decided to adapt the Andhra Pradesh Narcotic Drugs and Psychotropic Substances Rules, 1986, which are in force as on 01.06.2014;

5. Accordingly, the following notification shall be published in an Extra Ordinary Issue of the Telangana State Gazette, dated 01-06-2016.

NOTIFICATION

In exercise of the powers conferred by section 101 of the Andhra Pradesh Reorganization Act, 2014 (Central Act No.6 of 2014), the Government of Telangana hereby makes the following order namely:-

1. (1) This order may be called the Andhra Pradesh Narcotic Drugs and Psychotropic Substances Rules, 1986 (Telangana Adaptation) Order, 2016.
(2) It shall be deemed to have come into force with effect from the 2nd June 2014.
2. In the said Andhra Pradesh Narcotic Drugs and Psychotropic Substances Rules, 1986,-
(1) throughout the said rules, for the words "Andhra Pradesh" or "A.P" occurring otherwise than in a citation or description or in title of other enactments, the word "Telangana" shall be substituted;

(2) In rule 2,

(i) after clause (d), the following clause shall be inserted, namely,-

“(da) “Controller of Drugs” means the officer appointed as the controlling authority by the State Government under rule 50 of the Drugs and Cosmetics Rules, 1945 made under the Drugs and Cosmetics Act, 1940 (23 of 1940)”

(ii) after clause (h), the following clause shall be inserted, namely,-

“(ha) “Firm” means a company, body corporate, proprietorship firm, partnership firm, limited liability partnership firm, association of persons”

(iii) after clause (o), the following clause shall be inserted, namely,-

“(oa) “medical institution” means a hospital, dispensary, clinic or an institution by whatever name called that offers services or facilities requiring diagnosis; treatment or care of illness, disease, injury, deformity or abnormality, established and administered or maintained by the Government or Municipal Corporation or Municipal Council or Zila Parishad or any person or body of persons”;

(iv) after clause (pa), the following clause shall be inserted, namely,-

“(pb) “patent or proprietary medicine” shall have the same meaning as defined in the Drug and Cosmetics Act, 1940 (23 of 1940)”;

(v) after clause (ra), the following clause(s) shall be inserted, namely,-

“(s) “Licensed chemist” means a person who has obtained a licence to possess, sell exhibit or offer for sale or distribution by retail, essential narcotic drugs for the purposes of chapter- V-B and V-C”;

“(t) “Licenced dealer” means a person who has obtained a licence to possess, sell, exhibit or offer for sale or distribution by wholesale, essential narcotic drugs for the purposes of chapter- V-B and V-C”;

“(u) “prescription” means a prescription given by a registered medical practitioner for the supply of any of the essential narcotic drugs to a patient for medical use in accordance with these rules for the purposes of chapter- V-B and V-C”;

“(v) “Registered Medical Practitioner” means any person registered as a medical Practitioner under the Indian Medical Council Act, 1956 (102 of 1956) or under any law for the registration of medical practitioner for the time being in force, or registered as a dentist under the Dentists Act, 1948 (16 of 1948) or under any law for the registration of dentists for the time being in force and has undergone training in pain relief and palliative care for prescription of essential narcotic drugs for pain relief and palliative care or training in opioid substitution therapy for prescription of essential narcotic drugs for treatment of opioid dependence for the purposes of chapter- V-B and V-C”;

3. After chapter V-A, the following chapters shall be inserted, namely,-

**“CHAPTER V-B
POSSESSION, TRANSPORT, IMPORT INTER-STATE, EXPORT INTER-STATE,
SALE, PURCHASE, CONSUMPTION AND USE OF ESSENTIAL NARCOTIC
DRUGS**

100.K. **Possession of essential narcotic drug:-** (1) No person shall possess any essential narcotic drug otherwise than in accordance with the provisions of these rules.

(2) Any person may possess an essential narcotic drug in such quantity as has been at one time sold or dispensed for his use in accordance with the provisions of these rules.

(3) A registered medical practitioner may possess essential narcotic drug, for use in his practice but not for sale or distribution, not more than the quantity mentioned in the Table below, namely:-

TABLE

Sl.No.	Name of the essential narcotic drug	Quantity
(1)	(2)	(3)
1.	Morphine and its salts and all preparations containing more than 0.2 percent. of Morphine	500 Milligrams
2.	Methyl morphine (commonly known as „Codeine“) and Ethyl morphine and their salts (including Dionine), all dilutions and preparations except those which are compounded with one or more other ingredients and containing not more than 100 milligrams of the drug per dosage unit and with a concentration of not more than 2.5% in undivided preparations and which have been established in therapeutic practice	2000 Milligrams
3.	Dihydroxy Codeinone (commonly known as Oxy-codone and Dihydroxycodone), its salts (such as Eucodal Boncodal Dinarcon Hydrolaudine, Nucodan, Percodan, Scopodal, Tebodal and the like), its esters and the salts of its ester and preparation, admixture, extracts or other substances containing any of these drugs	250 Milligrams
4.	Dihydrocodeinone (commonly known as Hydrocodone), its salts (such as Dicodide, Codinovo, Diconone, Hycodan, Multacodin, Nyodide, Ydroced and the like) and its esters and salts of its ester, and preparation, admixture, extracts or other substances containing any of these drugs	320 Milligrams
5.	1-phenethyl-4-N - propionylanilino - piperidine (the international-non-proprietary name of which is Fentanyl) and its salts and preparations, admixture, extracts or other substances containing any of these drugs	Two transdermal patches one each of 12.5 microgram per hour and 25 microgram per hour:

Provided that the Controller of Drugs or any other officer authorised in this behalf by him may by special order authorise, in Form- 12, any such practitioner to possess the aforesaid drugs in quantity larger than as specified in the above Table:

Provided further that such authorisation may be granted or renewed, for a period not exceeding three years at a time.

Explanation:- The expression "for use in his practice" covers only the actual direct administration of the drugs to a patient under the care of the registered medical practitioner in accordance with established medical standards and practices.

(4) For renewal of the authorisation referred to in the second proviso to sub-rule (3), application shall be made to the Controller of Drugs at least thirty days before the expiry of the previous authorisation.

(5) (a) The Controller of Drugs may, by order, prohibit any registered medical practitioner from possessing for use in his practice under sub-rule (3) any essential narcotic drug, where such practitioner-

- (i) has violated any provision of these rules; or
- (ii) has been convicted of any offence under the Act; or
- (iii) has, in the opinion of the Controller of Drugs, abused such possession or otherwise been rendered unfit to possess such drug.

(b) When any order is passed under clause (a) of this sub-rule, the registered medical practitioner concerned shall forthwith deliver to the Controller of Drugs the essential narcotic drug then in his possession and the Controller of Drugs shall issue orders for the disposal of such drugs.

(6) The Controller of Drugs may, by a general or special order, authorize any person to possess essential narcotic drug as may be specified in that order.

(7) A recognised medical institution may possess essential narcotic drug in such quantity and in such manner as specified in these rules.

(8) A manufacturer may possess essential narcotic drug in such quantity as may be specified in the licence issued under rule 37 of the Narcotic Drugs and Psychotropic Rules, 1985.

(9) A licenced dealer or a licenced chemist may possess essential narcotic drug in such quantity and in such manner as may be specified in the licence issued under these rules.

100.L. Provisions regarding licenced dealer and licenced chemist.-

(1) A licensed dealer or a licensed chemist shall apply for a licence to possess, sell, exhibit or offer for sale or distribution by retail or wholesale, essential narcotic drug, to the authority competent to issue licence to possess, sell, exhibit or offer for sale or distribution by retail or wholesale, manufactured drugs under the rules framed under section 10 of the Act by State Government of the State in which he has his place of business.

(2) Every application for issue of licence referred to in sub-rule (1) shall be in such form and manner as may be specified by the authority referred to in the said sub-rule.

(3) The licence to possess, sell, exhibit or offer for sale or distribution by retail or wholesale, essential narcotic drugs shall have the same conditions as are applicable to a licence to possess, sell, exhibit or offer for sale or distribution by retail or wholesale, manufactured drugs under the rules framed under section 10 of the Act by the State Government.

(4) The licence under this rule shall be obtained within a period of one hundred and eighty days from the date of commencement of these rules.

100.M. Import Inter-State and Export-Inter-State of essential narcotic drugs.- Any person who is permitted to possess essential narcotic drug under rule

100.K may import inter-State or export inter-State such drug upto the quantity he is permitted to possess.

100.N. Transport of essential narcotic drugs:- (1) Subject to the provisions of rule 100.M, no consignment of essential narcotic drugs shall be transported, imported inter-State or exported inter-State unless such consignment is accompanied by a consignment note in Form No.- 13 and in the manner as provided in sub- rules (2) and (3).

(2) The consignment note referred to in sub-rule (1) shall be prepared in triplicate, and the original and duplicate copies of the said note shall be sent along with the consignment of essential narcotic drugs to the consignee who shall return the duplicate copy of the note to the consignor for his use after endorsing on the original and duplicate copies, the particulars of the receipt of the quantity consigned.

(3) The consignor and consignee shall preserve such consignment note referred to in sub-rule (1) for a period of two years:

Provided that the said consignment note shall not apply in cases where the sale of the essential narcotic drug is accompanied by a sale bill or invoice or cash memo or any other document duly signed by the consignor or his authorised signatory, which shall include the following information about the consignment:-

- (a) name, address and licence number of the consignor and the consignee;
- (b) description, batch number and quantity; mode and particulars of transport.

Provided further that such documents shall be preserved by the consignor and consignee for a period of two years.

Explanation:- Where the consignee is a person to whom the essential narcotic drug has been sold or dispensed for his personal use, research institution, registered medical practitioner, recognised medical institution, or hospital, the requirement of incorporating licence number of the consignee shall not be applicable.

100.O. Transmission of essential narcotic drugs by post, courier, rail or road.- The transmission of essential narcotic drugs by inland post or courier or by rail or by road by a manufacturer, licensed dealer or licensed chemist is permitted, subject to the following conditions, namely:-

(i) the parcel of the essential narcotic drugs when sent by post shall be sent by registered post;

(ii) the parcel of essential narcotic drugs shall be accompanied by a declaration showing the names of consignor and consignee, the contents of the parcel in detail, the number of licence or authorisation or recognition held by the consignee;

(iii) the consignee shall show distinctly in his account books, if he is a licensee, the name of the consignee and the consignor respectively, and the quantity of the essential narcotic drug imported inter-State, exported inter-State or transported by and to him, as the case may be, from time to time, by post or by courier or by road or by rail.

100.P. Sale.- (1) A manufacturer or licenced dealer shall sell essential narcotic drugs otherwise than on prescription to-

- a) a licenced dealer;
- b) a licenced chemist;
- c) a registered medical practitioner;
- d) a person who has been authorised by the Controller of Drugs under these rules; or
- e) a recognized medical institution.

(2) A licenced chemist shall sell essential narcotic drug only on prescription and subject to the provisions of the Drug and Cosmetics Rules, 1945.

(3) A recognised medical institution shall dispense or sell essential narcotic drugs in such manner as specified in these rules.

100.Q. Registered medical practitioner and conditions relating to their prescriptions.- No prescription for the supply of essential narcotic drugs shall be given by a registered medical practitioner otherwise than in accordance with the following conditions, namely:-

(i) the prescription shall be in writing, dated and signed by the practitioner with his full name, address and registration number and shall specify the name and address of the person to whom the prescription is given and the total quantity of the essential narcotic drug to be supplied along with daily dose and period of consumption:

Provided that where such drug to be supplied on the prescription is a patent or proprietary medicine, it shall be sufficient to state the quantity and strength of the medicine to be supplied;

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

100.R. Authorisation and accounts.- (1) The Controller of Drugs may by a general or special order authorise:

(a) any person in-charge of an educational institution or engaged in scientific research to possess and use, for educational or scientific purposes only, essential narcotic drug, in such quantity and in such manner as may be specified in the said order;

(b) a pilot of an aircraft or captain of a ship to possess and use, on the aircraft or ship, as the case may be, in any emergency, essential narcotic drug, in such quantity and in such manner as may be specified in the said order;

(c) a person in-charge of an ambulance or a first-aid station or a first-aid box to possess and use, in an emergency, essential narcotic drug, in such quantity and in such manner as may be specified in the said order.

(2) Every registered medical practitioner, and a person authorised by general or special order under this rule shall maintain day to day accounts in respect of all transactions of essential narcotic drug in Form No.-14 and the records of the daily accounts shall be preserved for a minimum period of two years from the date of last entry.

(3) Every registered medical practitioner shall also maintain a separate record in Form No.-15 for each patient and such record shall be preserved for a minimum period of two years from the date of last entry.

100.S. Suspension and cancellation of authorisation.- (1) without prejudice to any action that may be taken under the provisions of the Act, the Controller of Drugs may, for the reasons to be recorded in writing, cancel or suspend the authorisation under rules 100.K or 100.R,-

- (a) if the purpose for which the authorisation was granted ceases to exist; or
- (b) in the event of any breach, by the holder of such authorisation or by his servant or by any one acting with his express or implied permission on his behalf, of any of the terms and conditions of such authorisation or of any authorisation previously held by him.

(2) No order shall be passed under sub-rule (1) unless the authorised person has been given a reasonable opportunity of showing cause against the said order or is heard in person, if he so desires.

100. T. Appeal.- (1) Appeal against a decision or order made or passed under rule 100.S may be filed by the person against whom such decision or order has been made or passed, to the Secretary to the State Government responsible for

implementation of the Drugs and Cosmetic Rules, 1945 in the State within a period of sixty days from the date of communication of such decision or order to him.

(2) Every memorandum of appeal shall be accompanied by a copy of the decision or order appealed against.

100.U. Procedure for appeal.- (1) The Appellate Authority referred to in sub-rule (1) of rule 100.T shall give an opportunity to the appellant to be heard in person, if he so desires.

(2) The said Appellate Authority may, at the hearing of an appeal allow the appellant to raise any other ground not specified in the appeal, if the Appellate Authority is satisfied that omission of that ground was not willful or unreasonable.

(3) The aforesaid Appellate Authority may, after making such further inquiry as may be necessary, pass such order as it thinks fit, confirming, modifying or annulling the decision or order appealed against.

(4) The order of the Appellate Authority disposing of the appeal under this rule shall be in writing and shall state the points of determination, the decision thereon and the reasons for the decision.

100.V. Surrender of authorisation, etc.- An authorised person, if he so desires, surrender his authorisation by giving not less than fifteen days notice in writing to the issuing authority.

100.W. Disposal of stocks of essential narcotic drugs on expiry, surrender, cancellation of authorisation, etc.- (1) Such stocks of essential narcotic drugs as may be in the possession of an authorised person, on the expiry or cancellation or surrender of his authorisation, shall be disposed of in such manner as may be specified by the Controller of Drugs in this behalf.

(2) The expired stock of essential narcotic drugs as may be in the possession of an authorised person or a registered medical practitioner shall be destroyed in such manner as may be specified by the Controller of Drugs.

CHAPTER V-C

SPECIAL PROVISIONS RELATING TO RECOGNISED MEDICAL INSTITUTION

100.X. Government, etc. hospital, dispensary to be deemed recognised medical institution.- Government or Municipal Corporation or Municipal Council or Zilla Parishad hospital, dispensary or medical institution, with at least one registered medical practitioner possessing a minimum qualification of a degree in medicine or dentistry and who has undergone training in pain relief and palliative care for prescription of essential narcotic drugs for pain relief and palliative care or training in opioid substitution therapy for prescription of essential narcotic drugs for treatment of opioid dependence, who shall prescribe and dispense essential narcotic drugs, shall be deemed to be a recognised medical institution under these rules for possessing, dispensing or selling of essential narcotic drugs for medical purpose.

Explanation:- For the removal of doubts it is hereby clarified that Government or Municipal Corporation or Municipal Council or Zilla Parishad hospital, dispensary and medical institution, shall be exempt only from making application to the Controller of Drugs for recognition as recognised medical institution, but all other provisions of this Chapter shall be equally applicable to such deemed recognized medical institution as are applicable to other recognized medical institution.

100.Y. Recognition of medical institutions.- (1) A medical institution seeking, to be a recognized medical institution or renewal of such recognition, under these rules for possessing, dispensing or selling essential narcotic drugs for medical purposes shall apply in Form No.-16 to the Controller of Drugs.

(2) The Controller of Drugs, on receipt of application referred to in sub-rule (1) may, subject to any inquiry which may be necessary, issue a Certificate of Recognition in Form No.-17 and such certificate shall be issued within sixty days from the date of receipt of such application.

(3) In case the Certificate of Recognition is not issued within the period mentioned in sub-rule (2), the Controller of Drugs or any other officer authorized by him in this regard shall inform the applicant the reasons thereof.

(4) The Certificate of Recognition shall be issued for a period not exceeding three years at a time.

(5) For renewal of the recognition referred to in sub-rule (1), application shall be made to the Controller of Drugs at least sixty days before the expiry of previous recognition.

(6) The Certificate of Recognition shall be obtained within a period of one hundred and eighty days from the date of commencement of these rules.

(7) In the event of a change in the constitution of a recognised medical institution, the current recognition shall be deemed to be valid for a maximum period of ninety days from the date on which the change takes place.

100.Z. Suspension and Cancellation of recognition.- (1) Without prejudice to any action that may be taken under the provisions of the Act, for the reasons to be recorded in writing, the Controller of Drugs may suspend or cancel the recognition referred to in rule 100.Y,-

- (i) if the essential narcotic drugs obtained by a recognised medical institution were supplied for non- medical use; or
- (ii) in the event of any breach of the conditions of the recognition; or in the event of violation of any of the provisions of the Act or
- (iii) rules and orders made there under.

(2) No order shall be passed under sub-rule (1) unless the recognised medical institution has been given a reasonable opportunity of showing cause against the said orders or is heard in person, if he so desires.

100.ZA. Designated medical practitioner.- (1) Every recognised medical institution shall designate one or more registered medical practitioner who has undergone training in pain relief and palliative care for prescription of essential narcotic drugs for pain relief and palliative care or training in opioid substitution therapy for prescription of essential narcotic drugs for treatment of opioid dependence, who shall prescribe and dispense essential narcotic drugs.

(2) When more than one registered medical practitioner is designated, one of them shall be designated as over-all in charge.

(3) The name of the designated medical practitioner or the over-all in charge, as the case may be, shall be endorsed on the Certificate of Recognition issued under rule 100.Y by the Controller of Drugs.

(4) Whenever there is a change in the designated medical practitioner or the over-all in charge, as the case may be, the recognised medical institution shall inform the Controller of Drugs within seven days from date of such change for appropriate endorsement on the Certificate of Recognition.

100.ZB. Duties of designated medical practitioner.- (1) The designated medical practitioner or the over-all in charge, as the case may be, shall,-

- (a) register the patients to whom essential narcotic drugs shall be dispensed or sold for medical use only;
- (b) maintain separate record in Form No. -15 for each patient, which shall be preserved for a minimum period of two years from the date of last entry;
- (c) maintain record of all receipts and disbursements of essential narcotic drugs in Form No.18, which shall be preserved for a minimum period of two years from the date of last entry; and
- (d) file return for a calendar year on or before the 31st of March of the subsequent year in Form No. 19 to the Controller of Drugs.

(2) In the event of any change in the constitution of the recognized medical institution, the designated medical practitioner or the over-all in charge, as the case may be, shall inform the Controller of Drugs in writing within thirty days from the date of such change for issue of fresh Certificate of Recognition.

100.ZC. Surrender of recognition.- (1) A recognised medical institution may surrender its recognition by giving not less than thirty days' notice in writing to the Controller of Drugs.

(2) On surrender of the recognition, the essential narcotic drugs as may be in the possession of the recognised medical institution shall be disposed of in such manner, including transfer to another recognised medical institution, as may be specified by the Controller of Drugs.

100.ZD. Estimates of requirement.- (1) Every recognised medical institution shall submit an estimate of its annual requirement of essential narcotic drugs in Form No. 20 by the 30th November of the preceding calendar year to the Controller of Drugs.

(2) If the requirement of a recognised medical institution exceeds the annual estimate submitted to the Controller of Drugs, it shall submit a revised estimate by the 31st August of the calendar year to which the said annual estimate pertains, to the Controller of Drugs.

Explanation:- For the removal of doubts it is hereby clarified that a recognised medical institution may sell and disburse essential narcotic drugs over and above the quantity indicated in the estimate submitted to the Controller of Drugs as specified in this rule, but the designated medical practitioner or the over-all in charge, as the case may be, shall record a brief justification for such increase while filing return in Form No. 19.

100.ZE. Possession of essential narcotic drug by recognised medical institution:- A recognised medical institution shall possess essential narcotic drugs in quantities not exceeding the quantities mentioned in the estimate or revised estimate, as the case may be, of the annual requirement of such drug submitted to the Controller of Drugs under rule 100.ZD.

100.ZF. Miscellaneous.- (1) The expired stock of essential narcotic drugs shall be destroyed by the recognised medical institution in the presence of an officer nominated by the Controller of Drugs.

(2) The unused essential narcotic drugs returned by the patients shall be considered as receipts by the recognised medical institution.

(3) Essential narcotic drugs shall not be transferred, loaned or sold by the recognised medical institution to other institutions without the prior approval of the Controller of Drugs.

100.ZG. Home care treatment.- (1) Notwithstanding anything contained in these rules, where home care treatment is provided to a patient registered with a recognised medical institution by deputing qualified personnel of such recognised medical institution to the home or residence or place of stay, either permanent or temporary, of such patient, the designated medical practitioner or the over-all in charge, as the case may be, shall, authorise such personnel to cant' such quantity of essential narcotic drugs as may be required for treatment of such patient:

Provided that home care treatment shall not be provided for treatment of opioid dependence.

(2) The designated medical practitioner or the over-all in charge shall maintain proper record of such issue and also of the unused essential narcotic drugs received from such personnel after completion of visit to the patient.

100.ZH. Maintenance of records.- All records generated under this Chapter shall be kept for a period of two years from the date of last entry.

100.ZI. **Inspection of stocks.-** The stocks of essential narcotic drugs under the custody of a recognised medical institution shall be open for inspection by the Controller of Drugs or any other officer authorised by him in this regard.

100.ZJ. **Appeal.-** (1) A recognized medical institution aggrieved by any decision or order passed by the Controller of Drugs under this Chapter may appeal to the Secretary to the State Government responsible for implementation of Drugs and Cosmetic Rules, 1945 within a period of sixty days from the date of communication to him of such decision.or order.

(2) Every memorandum of appeal shall be accompanied by a copy of the decision or order appealed against.

100.ZK. **Procedure for appeal.-** (1) The Appellate Authority referred to in sub-rule (1) of rule 100.ZJ shall give an opportunity to the appellant to be heard in person, if he so desires.

(2) The Appellate Authority referred to in sub-rule (1) of rule 100.ZJ may, at the hearing of an appeal allow the appellant to raise any other ground not specified in the appeal, if the Appellate Authority is satisfied that omission of that ground from the appeal was not willful or unreasonable.

(3) The Appellate Authority referred to in sub-rule (1) of rule 100.ZJ may, after making such further inquiry as may be necessary, pass such order as it thinks fit, confirming, modifying or annulling the decision or order appealed against.

(4) The order of the Appellate Authority disposing of the appeal under this rule shall be in writing and shall state the points for determination, the decision thereon and the reasons for the decision.".

4. After Form-NDPS- 11, the Forms appended to order shall be inserted,-

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

AJAY MISRA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner of Printing, Stationary & Stores Purchases, Telangana,
Hyderabad (with a request to publish and to furnish 500 copies each to
Government and Commissioner of Prohibition and Excise, Telangana, Hyderabad)

The Commissioner of Prohibition and Excise, Telangana, Hyderabad

Copy to:

The Law (F) Department
The PS to Addl.Prl.Secy to Hon'ble CM
The OSD to Hon'ble M(Proh & Excise)
The PS to Prl.Secy (CT&EX)
SF/SC

// FORWARDED BY ORDER //

SECTION OFFICER

FORM NO.12
[See rule100.K (3)]
SPECIAL AUTHORISATION FOR POSSESSION OF ESSENTIAL NARCOTIC DRUGS BY
REGISTERED MEDICAL PRACTITIONER

Authorisation No.

Date of issue

..... is hereby authorised to
possess the following essential narcotic drugs on the premises situated at
..... for use in his practice.

Name of essential narcotic drug
Quantity

(1)

(2)

2. The authorization shall be in force from to

3. The authorization is subject to the conditions stated below and to such other conditions as may be specified under the Narcotic Drugs and Psychotropic Substances Act, 1985 (61 of 1985) and the rules made there- under.

Signature
Designation

Conditions of authorization

1. This authorisation is not transferable.

2. This authorisation and any certificate of renewal in force shall be kept on the approved premises and shall be produced at the request of an officer detailed for the purpose by the issuing authority.

FORM NO.13
(See rule 100.N) CONSIGNMENT NOTE

Date and time of dispatch of the consignment:

1.	Name and complete postal address of the consignor	.	
2.	Whether Manufacturer or Licensed Dealer (Quote Licence Number and the Issuing Authority)	:	
3.	Name and complete postal address of the consignee	:	
4.	Description and quantity of the consignment	:	
Particulars of the essential narcotic drugs showing Trade Marks, Proprietary Names, Batch number, etc.		Number of packages	Quantity
		Gross	Net
5.	Mode of transport (particulars of the transporter, Registration number of the vehicle or Railway Receipt./Lorry Receipt, if the transport is by railways or road transport)	:	

Full Name/Designation (if any)	Signature of the Consignor with date
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To be filled by the consignee

6.	Date and time of receipt by the consignee and his remarks	:	
7.	Whether the consignment received in full as per description and quantity mentioned at serial number 4 above	:	Yes/No (If no, details to be mentioned below)

Full Name/Designation (if any)

Signature of the Consignee
with date

Note:

- 1) This consignment note shall be serially numbered on annual basis.
- 2) The consignor shall record a certificate on the cover page of each book containing consignment note indicating the number of pages contained in the consignment note-book.
- 3) The consignor shall maintain a Register showing the details of the books of consignment note brought in use during a particular year.
- 4) This consignment note shall be retained for a period of two years from the date of transaction.
- 5) The records referred to in this note shall be produced before the concerned authorised officers whenever called upon during the course of their inspection/investigation.

FORM NO.14
[See Rule.100R (2)]

DAILY ACCOUNTS OF ESSENTIAL NARCOTIC DRUGS TO BE MAINTAINED BY
REGISTERED MEDICAL PRACTITIONER AND AUTHORISED PERSONS

Name of the Essential Narcotic Drug	:		Authorised limit	:	
Date	:				
1.	Opening stock			:	
2.	Quantity received			:	
2(i)	Received from (give details)			:	
2(ii)	Consignment Note/Bill/Invoice/Cash Memo, Number etc.			:	
3.	Quantity dispensed			:	
4.	Name and address of the person to whom dispensed (include patient registration number maintained in Form No.3E, where applicable)			:	
5.	Closing stock			:	

Full Name/Designation (if any)

Signature

Note:

- (1) This record shall be maintained on day to day basis and entries shall be made for each day.
- (2) Entries shall be completed for each day before the close of the day.
- (3) The pages of the register shall be serially numbered.
- (4) Separate record shall be maintained for each essential narcotic drug.
- (5) This record shall be retained for two years from the date of last entry.
- (6) This record shall be produced before the concerned authorised officers whenever called upon during the course of their inspection/investigation.

"FORM NO.15
[See rule.100R(3)]

DETAILS OF THE PATIENT

TO WHOM ESSENTIAL NARCOTIC DRUGS DISPENSED

(TO BE MAINTAINED BY REGISTERED MEDICAL ACTITIONER / RECOGNISED
MEDICAL INSTITUTION)

Registration Number:

Date:

1.	Name	:	
2.	Complete postal address (with contact number, if any).	:	
3.	Brief description of the illness	:	
4.	Whether registered with any other registered medical practitioner/recognized medical institution (If yes, details to be recorded)	:	
5.	Details of the essential narcotic drugs dispensed	:	
Date	Name of the essential narcotic drugs	Quantity	Signature/Thumb impression of the patient
			Remarks, if any

Note:

- (1) This record shall be retained for two years from the date of last entry.
- (2) This record shall be produced before the concerned authorized officers whenever called upon during the course of their inspection investigation.

FORM NO.16
[See rule 100Y(1)]

APPLICATION FOR ISSUE / RENEWAL OF CERTIFICATE OF RECOGNITION AS
RECOGNISED MEDICAL INSTITUTION

1.	Name and complete postal address of the institution with telephone number, facsimile number and a-mail ID (relevant supporting documents to be submitted)	:	
2.	Name of the Head/In-charge of the Institution	:	
3.	Number of persons employed (i) Doctors (ii) Nursing staff (iii) Others	:	
4.	Number of patients treated during the previous calendar year (i) in patients (ii) out patients (iii) home care	:	
5.	Name (s) of the qualified medical practitioner (s) who would prescribe essential narcotic drugs (give details of, their training in pain relief and palliative care or opioid dependence treatment)	:	
6.	If there is more than one qualified medical practitioner who would prescribe essential narcotic drugs, indicate the name of the medical practitioner who shall be overall in charge	:	
7.	Number and date of the certificate of recognition issued earlier (attach copy)	:	
8.	Whether the recognition of the institution was withdrawn earlier (if the recognition was withdrawn earlier, the details are to be given)	:	

Date:

Signature:

Place:

Full name:

Seal:

Position:

FORM NO.17
[See rule 100Y(2)]CERTIFICATE OF RECOGNITION

No. _____ Date of issue

This is to certify that (Name of the institution)
..... situated at is a Recognised Medical
Institution to possess, dispense and sell essential narcotic drugs.

2. The institution is a Recognised Medical Institution since (mention date of
the certificate issued for the first time)....

3. This certificate shall be in force from to

4. The certificate is subject to the conditions stated below and to such other
conditions as may be specified under the Narcotic Drugs and Psychotropic
Substances Act, 1985 (61 of 1985) and the rules made there-under.

Signature

.....

Designation

.....

Seal

.....

Conditions of recognition

1. This certificate is non-transferable.

2. This certificate and any certificate of renewal in force shall be kept on the
approved premises and shall be produced at the request of an officer authorised
for the purpose by the issuing authority.

FORM NO.18
[See rule.100ZB (1)(c)]

DAILY ACCOUNTS OF ESSENTIAL NARCOTIC DRUGS TO BE MAINTAINED BY
RECOGNISED MEDICAL INSTITUTION

Name of the Essential:

Date :

1.	Opening stock	:	
2.	Quantity received	:	
2(i)	Received from (give details)	:	
2(ii)	Consignment Note/Bill/Invoice/Cash Memo, Number etc.	:	
3.	Quantity dispensed	:	
4.	Specify registration number of the patient(s) maintained in Form No.3E and quantity dispensed to each)	:	
5.	Closing stock	:	

Full Name/Designation (if any)

Signature of the overall in charge

Note:

(1) This record shall be maintained on day to day basis and entries shall be made for each day.

(2) Entries shall be completed for each day before the close of the day.

(3) The pages of the register shall be serially numbered.

(4) Separate record shall be maintained for each essential narcotic drug.

(5) This record shall be retained for two years from the date of last entry.

(6) This record shall be produced before the concerned authorized officers whenever called upon during the course of their inspection/investigation.

FORM NO.19
[See rule 100ZB (1)(d)]

ANNUAL RETURN OF PROCUREMENT/DISBURSEMENT OF ESSENTIAL
NARCOTIC DRUGS

(TO BE FILLED BY RECOGNISED MEDICAL INSTITUTION)

Return for the year		:			Date of submitting return	:		
1.	Number and date of the current certificate of recognition				:			
2.	Name of the Recognised Medical Institution				:			
Sl. No.	Name of essential narcotic drug	Quantity in original annual estimate	Quantity in revised annual estimate	Opening stock	Quantity procured during the year	Quantity disbursed to patients during the year*	Closing stock	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	

* The designated medical practitioner or the over-all in charge as the case may be, shall record a brief justification where the actual disbursement is more than ten per cent of the estimate or revised estimate, as the case may be.

Full Name/Designation (if any)

Signature of
the overall in charge

FORM NO.20
[See rule 100ZD(1)]

ESTIMATE OF ANNUAL REQUIREMENT OF ESSENTIAL NARCOTIC DRUGS

Estimate for the year	:		:	Date of submitting estimate	
1.	Number and date of the current certificate of recognition			:	
2.	Name of the Recognised Medical Institution			:	
3.	Details of the estimated annual requirement of essential narcotic drugs			:	
Sl. No.	Name of the essential narcotic drug	Quantity disbursed during previous year	Estimated annual requirement	Revised estimated annual requirement*	Reason for revision
(1)	(2)	(3)	(4)	(5)	(6)

* Please attach copy of the original estimate

Full Name/Designation (if any)

Signature of
the overall in charge