

PART III

GOVERNMENT OF PUNJAB

DEPARTMENT OF HEALTH AND FAMILY WELFARE

(Health Branch-6)

NOTIFICATION

The 1st April, 2014

No. G.S.R.21/C.A.12/1919/Ss.2 and 8/2014.-In exercise of the powers conferred by sections 2 and 8 of the Poisons Act, 1919 (Central Act No. 12 of 1919), and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following rules, to regulate the possession for sale and possession of specified poisons, namely:-

RULES

1. **Short title and commencement.**-(1) These rules may be called the Punjab Poisons Possession and Sale Rules, 2014.
(2) They shall come into force on the date of their publication in the Official Gazette.
2. **Definitions.**-In these rules, unless the context otherwise requires,-
 - (a) "Act" means the Poisons Act, 1919;
 - (b) "dealer" means a person holding license under these rules;
 - (c) "Licensing Authority" means the District Magistrate or any other officer authorized by the State Government under sub-section (1) of section 7, to grant or renew a license;
 - (d) "licensee" means a holder of a license;
 - (e) "notification" means a notification published in the Official Gazette;
 - (f) "Form" means the Form appended to these rules; and
 - (g) "Schedule" means the Schedule appended to these rules; and
 - (h) "sale" means any sale by one 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.

3. **Categories of poisons.**- The poisons specified in the Schedule, shall be poisons for the purposes of these rules.
4. **License for possession or sale.**-No person shall store or sell for sale any poison specified in the Schedule, unless he possesses a license in Form-A, granted or renewed under these rules.
5. **Exhibition of license on the premises.**-The licensee shall always display his license issued under rule 4, in prominent position, at the place of business.
6. **Application for grant or renewal of license.**-(1) Every person desiring for the grant of license or renewal of a license, shall make an application to the Licensing Authority, in Form-B, duly affixing a court fee stamp of rupees five hundred:

Provided that if the applicant applies for the renewal of a license after its expiry but within six months of its expiry, the applicant shall affix a court fee of rupees five hundred and an additional court fee of rupees two hundred and fifty per month or part thereof, as the case may be, with his application.

- (2) An application for duplicate license, when the original is lost or destroyed, shall be made in writing alongwith a court fee stamp of rupees five hundred affixed thereon.
 - (3) In the case of any change in the place of business of the licensee, a fresh application, shall be made to the Licensing Authority, in Form-'B'.
7. **Duration of license.**-A license granted or renewed under these rules, shall remain in force for five years from the date of its issue.
 8. **Discretion of licensing authority.**-A license may be cancelled, revoked or suspended at any time by the licensing authority:

Provided that the Licensing Authority, shall give an opportunity of being heard, to the licensee concerned before taking any action against such licensee and shall record in writing the reasons, for cancelling or revoking or suspending a license:

Provided further that the licensee, whose license has been cancelled or suspended, is aggrieved by an order of the Licensing Authority, can file an appeal with the State Government.

9. **Termination of license.**-A license, shall terminate on the event of death of a license holder or on transfer of his place of business, and if the license is granted to a firm or company, the same shall stand terminated on the winding up or the transfer of the place of business of such firm or company, as the case may be:

Provided that, if the business carried on by the licensee as a firm or company, is transferred and the transferee applies for a fresh license under rule 6, within a period of ninety days of the date of such transfer, and during the pendency of his application, his previous license, shall continue to be in force till the time of grant or rejection of his application by the Licensing Authority.

10. **Disposal 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 or cancellation of the license, as the case may be, after which the remaining poison may be destroyed under the orders of the Licensing Authority.
11. **Power to inspect poisons and registers.**-Any Executive Magistrate or a Police Officer of the rank of Sub-Inspector and above or a Medical Officer appointed by the State Government 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 license holder, where poison is kept for sale and may inspect all poisons found therein and the registers containing the details of such stock.
12. **Persons to whom a license can 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 or proprietors of the company or the person, who is nominated by such proprietor or proprietors 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 from the firm or company in Form-'B'.

13. **Sale of poison.**-(1) Every sale of poisons, shall, as far as practicable, be made by the license holder in person. Where the license holder, is a firm or a company, then by or under the supervision of such representative of the firm or company concerned, who is duly authorized by the licensee and intimation of such authorization is sent to the Licensing Authority.
- (2) A person holding license for possession and sale of poisons granted under these rules, shall store and sell such poisons only from the premises or place as specified in the license.
14. **Persons 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, address of the purchaser, telephone number of such person 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 not genuine for such purchase.
15. **Register of sales of poisons.**-(1) Every license holder, shall maintain a register in which, he shall enter correctly all sales of poisons 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 on daily basis, 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:

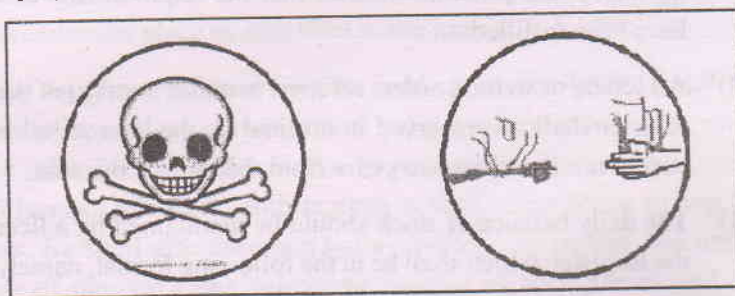
- (h) Signature of a person identifying the purchaser if any (or thumb impression, if illiterate) : and
- (i) Signature of Dealer.
- (2) The signature in the register referred to in item (i) of sub-rule (15) shall be of such person as specified in rule 13, implying that the signatory had satisfied himself that the requirements of rule 14 have been fulfilled.
- (3) All letters or written orders referred to under item (g) of the above register shall be preserved in original by the license holder for a period not less than two years from the date of the sale.
- (4) The daily balance of stock should be maintained by a licensee in the Register, which shall be in the following format, namely:-

Sr. No.	Name of the poison	Quantity purchased with number and date of the bill	Name and address of the firm from where purchased	Quantity sold	Quantity balance
1.	2.	3.	4.	5.	6.

- (a) _____
- (b) _____
- (c) _____
- (d) _____

16. **Custody of poisons kept for sale and labelling of containers, 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 the Act. 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, shall clearly be written on such containers.

17. **Poisons 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. The following universal warning symbols shall also be displayed on the receptacle.



18. **Security, storage and incident management of acids or corrosive substances by licensees.**-A standard operating procedure outlining the measures undertaken for security, storage and incident management of acids or corrosive substances, shall be prepared and displayed prominently in the premises of the user as follows:-

A.

SECURITY

- (a) A person shall be made accountable for possession and safe keeping of acid in the premises;
- (b) The storage of acid or corrosive, shall be under the supervision of a trained person;
- (c) The storage of acid or corrosive, shall be under double lock system, to ensure more security;
- (d) A register of usage of acid, shall be maintained and a copy thereof, shall be sent to the Sub-Divisional Magistrate concerned, on quarterly basis; and
- (e) There shall be compulsory checking of the students or personnel, leaving the laboratories or place of storage, where acid or corrosive, is used or stored.

B.

STORAGE

- (a) The chemicals should be stored in plastic or other suitable containers;

- (b) All storage containers should be labeled 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; and
- (f) Acids should be diluted with care- always add acid to water, never add water to acid.

C.

FIRST AID

- (a) **In case of Skin contact:** Quickly take off contaminated clothes, shoes and leather goods (e.g. watchbands, belts etc.), and gently blot or brush away excess chemical. Immediately flush affected parts with lukewarm (gently flowing) water for at least thirty minutes and immediately call a Poison Centre or doctor. Do not stop flushing, if it can be done safely and continue flushing even during transporting the person concerned to the hospital;
- (b) **In case of Eye contact:** Avoid direct eye contact. Wear chemical protective gloves, if necessary. Quickly and gently blot or brush chemical off the face and 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 stop flushing and if necessary, continue flushing even during transporting the person concerned to the hospital;
- (c) **In case of Ingestion:** Make the victim to rinse mouth with water. If vomiting occurs naturally, have victim lean forward to reduce risk of aspiration and continue rinsing of mouth with water. Immediately call a Poison Centre or doctor and transport the victim to a hospital if hospitalization is required; and
- (d) **In case of inhalation:** Take precautions to ensure your own safety before attempting rescue (e.g. wear appropriate protective equipment). Move the victim to fresh air and let him take 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 so that symptoms of pulmonary edema, be delayed. Immediately call a Poison Centre or doctor and transport the victim to a hospital if hospitalization is required.

19. **Penalties.**-Any person, who breaches any of the provisions of these rules, shall be liable for punishment under section 6 of the Act.

20. **Repeal and savings.**-(1) The Punjab Poison Possession and Sales Rules 1966, are hereby repealed.

(2) Notwithstanding such repeal, anything done or action taken or purported to have been done or taken under the rules so repealed shall, in so far as it is not inconsistent with the provisions of these rules, be deemed to have been done or taken under the corresponding provision of these rules.

(CHTR 13, 1936 SAKA)

The Schedule**[See Rules 2 and 3]****List of Poisons**

SR. NO.	NAME OF POISON
1	ABRUS PRECATORIUS, SEEDS OF GUNJ OR RATI
2	ACONITE (MITHETELIA, BACHHNAK)
3	ACETIC ACID (BEYOND 25 % CONCENTRATION BY WEIGHT)
4	ACETIC ANHYDRIDE
5	ALDRIN
6	ALPHA-NAPHTHYLTHIOUREA
7	AMITON
8	AMONIA, EXCEPT SUBSTANCES CONTAINING LESS THAN 5% WEIGHT IN WEIGHT OF AMMONIA AND EXCEPT WHEN CONTAINED IN SMELLING SALTS
9	ANTIMONY COMPOUNDS OF ANTIMONY, BOTH ORGANIC AND INORGANIC
10	ARAMITE
11	ARGEMONE SEED AND OIL
12	ARSENIC; ARSENIC WHITE, ARSENIC YELLOW, RED ARSENIC; ARSENIC SULPHIDE, COPPER ARSENATE (SCHEDULE'S GREEN); COPPER ACETOARSENITE (PAIRS GREEN); CALCIUM ARSENATE; CALCIUM ARSENITE, COPPER ARSENATE; POTASSIUM ARSENITE; SODIUM ARSENATE; SODIUM ARSENITE; SODIUM THIOARSENATE; ARSENICAL SOLUTION; AND ACID SOLUTION OF ARSENIC; ARSENIC BROMIDE.
13	BARIUM, SALTS OF; EXCEPT BARIUM BROMIDE
14	BAYTEX
15	BELLADONNA AND ALL PREPARATION AND ADMIXTURE CONTAINING BELLADONNA EXCEPT BALLADONA PLASTERS AND SUBSTANCES CONTAINING LESS THAN 0.15 % OF THE ALKALOIDS OF BELLADONNA CALCULATED AS HYOSCYAMINE
16	CANNABIS INDICA (BHANG, GANJA)
17	CHLORDANE
18	CHOLORO-DINITROBENZENE
19	CHLOROFORM, EXCEPT SUBSTANCES CONTAINING LESS THAN 10 % OF CHLOROFORM

20	CHLORO-NITROBENZENE (ORTHO-CHLORONITROBENZENE, META-CHLORONITROBENZENE; PARA-CHLORONITROBENZENE)
21	CHLORO-ORTHO-TOLUIDINE
22	CHRYSOPHANICACID
23	COCCULUS INDICUS (KAKAMARI)
24	CREOSOTE, EXCEPT SUBSTANCES CONTAINING LESS THAN 50 % WEIGHT IN WEIGHT OF CREOSOTE
25	CROTON, OILS AND SEEDS OF JAMALGOTA
26	CUPRIC ACETATE (VERDIGRIS)
27	CYANIDE OF POTASSIUM, CYANIDE OF SODIUM AND CYANIDE OF CALCIUM
28	DATURA, SEEDS AND LEAVES OF STRAMMONIUM; ALL PREPARATIONS AND ADMIXTURES CONTAINING DATURA EXCEPT SUBSTANCES CONTAINING LESS THAN 0.15 % OF ALKALOIDS OF DATURA CALCULATED AS HYOCYAMINE
29	DIAZINON
30	DIELDRIN
31	DIGITALIS FOLIA (LUMAR TAMBAKU)
32	DINITROBENZENE
33	DINITROCREOSOL, THEIR COMPOUNDS WITH A METAL OR A BASE
34	DINITRONAPHTHOLS, DINITROPHENOLS, SUBSTITUTED DINITROPHENOLS AND DINITROPHENOLS AND DINITROTHYMOLS
35	DINITROTOLUENES
36	DINOSAM; ITS COMPOUNDS WITH A METAL OR A BASE
37	DINOSEB; ITS COMPOUNDS WITH A METAL OR A BASE
38	DNOC (DINITRO-ORTHO-COMPOUNDS)
39	ENDRIN
40	ERGOT (THE SCLEROTIA OF ANY SPECIES OF CLAVICEPS)
41	ETHOXYETHYL MERCURY CHLORIDE
42	ETHYL MERCURY PHOSPHATE
43	ETHYL MERCURY CHLORIDE
44	FORMALDEHYDE, EXCEPT SUBSTANCES CONTAINING LESS THAN 25 % WEIGHT IN WEIGHT OF FORMALDEHYDE
45	FORMIC ACIDS (BEYOND 10% CONCENTRATION BY WEIGHT)
46	HEPTACHLOR

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- 47 HYDROCYANIC ACIDS EXCEPT SUBSTANCES CONTAINING LESS THAN 0.1 % WEIGHT IN WEIGHT OF HYDROCYANIC ACIDS
-
- 48 HYDROGEN PEROXIDE (H₂O₂), BEYOND 50% CONCENTRATION BY WEIGHT
-
- 49 HYDROFLUORIC ACID, POTASSIUM FLUORIDE, SODIUM FLUORIDE, SODIUM SILICOFLUORIDE
-
- 50 HYDROCHLORIC ACIDS (HCL), (SUBSTANCES CONTAINING MORE THAN 5 % WEIGHT IN WEIGHT OF HYDROCHLORIC ACIDS (TEZAB NIMAK))
-
- 51 HYOSCYAMUS (HENBANE OR KHURASANI AJVAYAN LEAVES)
-
- 52 LEAD ACETATES; COMPOUNDS OF LEAD WITH ACIDS FROM FIXED OILS
-
- 53 LEAD ARSENATE
-
- 54 MARKING NUT (FRUIT OF SEMICAPUS ANACARDIUM ALSO KNOWN AS BHILAWA)
-
- 55 MALATHIAN
-
- 56 MERCURY (SEEMAB, PARA, PARAD)
-
- 57 MERCURY AMMONIUM CHLORIDE
-
- 58 MERCURIC CHLORIDE, EXCEPT SUBSTANCES CONTAINING LESS THAN 1 % WEIGHT OF MERCURIC CHLORIDE
-
- 59 MERCURIC IODIDE, EXCEPT SUBSTANCES CONTAINING LESS THAN 2 % WEIGHT IN WEIGHT OF MERCURIC IODIDE
-
- 60 MERCURIC NITRATE
-
- 61 MERCURY, ORGANIC COMPOUNDS OF, EXCEPT SUBSTANCES CONTAINING LESS THAN EQUIVALENT OF 0.20% WEIGHT IN WEIGHT OF MERCURY (HG)
-
- 62 MERCURY, OXIDES OF
-
- 63 MERCURY OXYCYANIDE
-
- 64 MERCURIC POTASSIUM IODIDE EXCEPT SUBSTANCES CONTAINING LESS THAN THE EQUIVALENT OF 1% WEIGHT IN WEIGHT OF MERCURIC IODIDE
-
- 65 MERCURIC SULPHOCYANIDE
-
- 66 METASYSTOX
-
- 67 METHANOL
-
- 68 METHYL BROMIDE
-
- 69 NICOTINE
-
- 70 NITRIC ACIDS, EXCEPT SUBSTANCES CONTAINING LESS THAN 5% WEIGHT IN WEIGHT OF NITRIC ACID (TEZAB SHORA)
-

71	NITROBENZENE
72	NITROPHENOLS (ORTHO, META AND PARA)
73	NUX VOMICA SEEDS OF; PREPARATION OF ADMIXTURES CONTAINING NUX VOMICA (KUCHLA) EXCEPT SUBSTANCE CONTAINING LESS THAN 0.2% WEIGHT IN WEIGHT OF THE ALKALOIDS OF NUX VOMICA
74	OXALIC ACID; SODIUM OXALATE; POTASSIUM OXALATE; AMMONIUM OXALATE AND OTHER METALLIC OXALATES
75	PERCHLORIC ACID (HClO ₄)
76	PERCHLORIDE OF MERCURY (CORROSIVE SUBLIMATE-DARCHIKNA)
77	PHENOLS; (BEYOND 3% CONCENTRATION BY WEIGHT)
78	PHENYL MERCURIC ACETATE, EXCEPT SUBSTANCES CONTAINING LESS THAN THE EQUIVALENT OF 0.2% WEIGHT IN WEIGHT OF MERCURY (HG)
79	PHENYL MERCURIC CHLORIDE, EXCEPT SUBSTANCES CONTAINING LESS THAN THE EQUIVALENT OF 0.2% WEIGHT IN WEIGHT OF MERCURY (HG)
80	PHENYL MERCURY UREA
81	PHENYLENE DIAMINES, TOLUENE DIAMINES, OTHER ALKYLATED BENZENE DIAMINES, AND THEIR SALTS
82	PHOSPHORIC ACID (H ₃ PO ₄)
83	PHOSPHOROUS YELLOW
84	PHOSPHOROUS COMPOUNDS, THE FOLLOWING: DEMENTON, METHYL DEMENTON, HEXA-ETHYL TETRAPHOSPHATE (HETP); TETRAETHYL PYROPHOSPHATE (TEPP); ETHYL PYROPHOSPHORETHIONATE (SULFOTEPP), OCTAMETHYLPHOS, PHORODIAMIDE ANHYDRIDE (SCHRADAN); PARATHION, METHYL PARATHION, PHOSDRIN PHOSTOXIN (HYDROGEN PHOSPHIDE), GUSATHION (GUTHION), TRITHION
85	POTASSIUM HYDROXIDE, EXCEPT SUBSTANCES CONTAINING LESS THAN 2% WEIGHT IN WEIGHT OF POTASSIUM HYDROXIDE
86	RED LEAD (LEAD OXIDE RED SINDHUR)
87	SODIUM HYDROXIDE, EXCEPT SUBSTANCES CONTAINING LESS THAN 2% WEIGHT IN WEIGHT OF SODIUM HYDROXIDE
88	SODIUM HYPOCHLORITE SOLUTION (BEYOND 5% CONCENTRATION BY WEIGHT)
89	SODIUM MONOFLUOROACETATE
90	SODIUM NITRATE
91	STRAMMONIUM (DATURA)

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92	STRYCHNINE AND ITS SALTS, EXCEPT SUBSTANCES CONTAINING LESS THAN 0.2% WEIGHT IN WEIGHT OF STRYCHNINE
93	SULPHURIC ACIDS(H_2SO_4), BEYOND 5% CONCENTRATION BY WEIGHT (TEZAB GANDHAK)
94	SYSTOX
95	TARTAR EMETIC; EXCEPT PREPARATION CONTAINING LESS THAN 1% OF TARTAR EMETIC
96	TEAXANHEVE
97	TETRAETHYL LEAD
98	THALLIUM, SALTS OF.
99	THIMET
100	TRI-ORTHOCRESYL PHOSPHATE
101	WARFARIN
102	WHITE LEAD (LEAD CARBONATE)
103	ZINC CHLORIDE
104	ZINC PHOSPHIDE

NOTE : PREPARATIONS CONTAINING ANY OF THE ABOVE POISONS ARE ALSO COVERED BY THIS LIST.

FORM A

(See rule 4)

License for possession and sale of Poisons

License No. _____

Date of issue _____

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 and to sell the following poisons namely:

1. _____
2. _____
3. _____
4. _____
5. _____

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

Date of expiry of license: _____

Note:- (I) 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.

(II) A poison for medicine use means a drug as defined in section 3 of the Drugs and Cosmetics Act, 1940.

Dated: _____

Seal and Signature of Licensing Authority


 PHOTOGRAPH OF
 APPLICANT

FORM B
(See rule 6)

Application for Grant/Renewal of License for possession and sale of Poisons¹

(To be accompanied with a court fee stamp of Rs.500/- (additional court fee if applied late for renewal)

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)

PHOTOGRAPH OF
APPLICANT

VINI MAHAJAN,
Principal Secretary to Government of Punjab,
Department of Health and Family Welfare.