

MINISTRY OF FINANCE

(Department of Revenue)

NOTIFICATION

New Delhi, the 29th September, 2010

No. 1/2010-Narcotics Control-1

G.S.R. 786(E).— In pursuance of rule 8 of the Narcotic Drugs and Psychotropic Substances Rules, 1985, the Central Government hereby notifies the general conditions for grant of licence specified below for cultivation of opium poppy on account of the Central Government during the Opium Crop Year commencing on the 1st day of October, 2010 and ending with the 30th day of September, 2011.

1. Place of Cultivation

Opium poppy cultivation may be licenced in any tract as may be notified in this behalf by the Central Government.

2. Eligibility for Cultivation

Subject to clauses 3 and 7 of this notification, the following shall be eligible for a licence to cultivate opium poppy:

- (i) Cultivators who had cultivated opium poppy during the crop year 2009-10 and tendered an average yield of opium of not less than **56 kg/hectare** in the States of Madhya Pradesh and Rajasthan and an average yield of opium of not less than **49 kg/ha** in the state of Uttar Pradesh.
- (ii) Cultivators who ploughed back their entire opium poppy crop cultivated during the crop year 2009-10 under the supervision of the Central Bureau of Narcotics in accordance with the provisions in this regard, **but had not similarly ploughed back their entire poppy crop during 2008-09.**
- (iii) Cultivators whose appeal against refusal of licence has been allowed after the last date of settlement in the crop year 2009-10.
- (iv) Cultivators who cultivated opium poppy in the crop year 2007-08 or during any subsequent crop year and were eligible for a licence in the following crop year, but did not voluntarily obtain a licence for any reason or who after having obtained a licence for the following crop year, did not actually cultivate opium poppy due to any reason.

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- (v) Cultivators who are the legal heirs of deceased eligible cultivators and in case there are more than one such legal heir, the one determined by the District Opium Officer as legal heir for the purpose of the licence.

3. Conditions of Licence

No cultivator shall be granted licence unless he/she satisfies that:

- (i) He/she did not, in the course of actual cultivation, exceed the area licenced for poppy cultivation during the crop year 2009-10 beyond the 5% 'Condonable Limit' allowed in the licensing policy.
- (ii) He/she did not at any time resort to illicit cultivation of opium poppy and was not charged in any competent court for any offence under the Narcotic Drugs and Psychotropic Substances Act, 1985 and the Rules made there under.
- (iii) He/she did not during the crop year 2009-10 violate any departmental instructions issued by the Central Bureau of Narcotics/Narcotics Commissioner to the cultivators.
- (iv) He/ she did not tender during 2009-10 adulterated opium or opium classified as 'inferior opium' by the Government Opium and Alkaloid Works, Neemuch/ Ghazipur
- (v) He/ she did not tender during the crop year 2009-10, opium which has been found to be of a consistency lower than 55 degrees.

4. Maximum Area

- (i) All eligible cultivators under clause 2(i) to (v) will be issued licence for 35 ares. However, cultivators who tendered average yield of 60kg/ha and above under clause 2(i) category will be issued licence for 50 ares. The cultivators can cultivate in an area less than the licenced area.
- (ii) Cultivators licensed an area of 50 ares can sow opium poppy in not more than four plots and those licensed an area of 35 ares can sow opium poppy in not more three plots.
- (iii) Cultivators will be permitted to take on lease, land belonging to others, to make up the licenced area, if they so desire.