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PART - IIA

GOVERNMENT OF MEGHALAYA

EXCISE, REGISTRATION, TAXATION & STAMPS DEPARTMENT

ORDERS BY THE GOVERNOR

NOTIFICATION

The 31st August, 2012.

No.ERTS(E)59/2012/2. - In exercise of the powers conferred by Section 10 and 78 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (Central 61 of 1985, the Government of Meghalaya hereby make the following rules to amend the Meghalaya Narcotic Drugs and Psychotropic Substances Rules, 1986 namely ,-

1. ***Short title and commencement*** - (1) These Rules may be called the Meghalaya Narcotic Drugs and Psychotropic Substances (Amendment) Rules, 2012

   (2) These shall come into force on and from the 31st August, 2012.

2. ***Amendment of Rule 2.*** - In rule 2 of the Meghalaya Narcotic Drugs and Psychotropic Substances Rules, 1986 (hereinafter referred to as the principal rules), after clause (g) the following new clauses (ga) and (gb) shall be inserted, namely :-

   (ga) "morphine" includes any preparation containing morphine;

   (gb) "recognized medical institution" means a Hospital or Medical Institution recognized by the Drug Controller for the purposes of rules 20A to 20I.

3. ***Amendment of rules 4,5,7,11,14 and 20.*** – In rules 4,5,7,11,14 and 20 of the principal Rules, for the words "opium" appearing in the respective rules, and wherever it occurs, the words "opium/opioids" shall be substituted.

4. ***Insertion of new rules 20A, 20B, 20C, 20D, 20E, 20F, 20G, 20H and 20I*** – In the Meghalaya Narcotic Drugs and Psychotropic Substances Rules, 1986, after rule 20 of the principal Rules, the following new rules 20A, 20B, 20C, 20D, 20E, 20F, 20G, 20H and 20I shall be inserted, namely, -

"20A. Special provision regarding morphine and Recognition of Medial Institutions.-

(1) Every medical Institution which intends to be recognized for the purpose under these rules shall file an application in Form F appended to these rules to the Drug Controller appointed by the State Government. The application shall be disposed of by the Drug Controller and his decision shall be officially conveyed to the applicant within a period of three months from the date of receipt of the application.

(2) If it comes to the notice of the Drug Controller that morphine obtained by the recognized medical Institution was supplied for non-medical use or that the provisions of these Rules have not been complied with, the Drug Controller, for reasons to be recorded in writing and after giving the party a reasonable opportunity of being heard, may revoke the recognition accorded under these rules.

"20 B. Duties of the recognized Medical Institution – Every recognized medical institution shall, -

(1) designate one or more qualified medical practitioners who may prescribe morphine for medicinal purposes. When more than one qualified medical practitioners have so been designated, one of them shall be designated as over-all in charge.

(2) the medical practitioner so designated or the over-all in charge, as the case may be, shall :-

(a) endeavor to ensure that the stock of morphine is adequate to meet the requirements of the patients :-

(b) maintain adequate security over the stock of morphine;

(c) maintain a record of all receipts and disbursements of morphine in Form G appended to these rules, and;

(d) ensure that estimates, and other relevant information required to be sent by the recognized medical institution under these rules, are sent to the authorities concerned in time.

"20 C. Sending of estimates of requirement of morphine by the recognized medical institution . - Recognized medical institutions shall submit their estimates of annual requirement of morphine in Form H to the Drug Controller by the 30th November of the calendar year along with the name and address of the supplier from whom they intend to procure morphine.

"20 D. Approval of estimates by the Drug Controller. – Upon receipt of the annual requirement, the Drug Controller of the State shall examine and consider the estimates. A formal reply conveying approval or rejection of the estimates shall be communicated by the Drug Controller before the 21st December of the same year. A copy each of the communication shall be sent to the supplier whose name has been recorded in the estimates and to the Drug Controller of the concerned State, in cases where morphine is proposed to be imported from outside the State.

"20 E. <u>Supplementary estimates</u> – If the requirement of the recognized medical institution exceeds the annual estimates approved by the Drug Controller, the recognized medical institution may submit supplementary estimates at any time for consideration of the Drug Controller who shall deal with and dispose of such applications for supplementary estimates in the same manner as he would have dealt with the annual estimates.

"20 F. <u>Possession, transport purchase etc.,</u> - The provisions of these rules in respect of possession, transport, purchase, sale, import or export inter-state or use of manufactured drugs shall ipso facto apply to possession, transport, purchase, sale, import or export inter-state or use of morphine in respect of a recognized medical institution. Possession, transport, purchase, sale, import or export inter-state or use of morphine in respect of a recognized medical institution shall be in accordance with the following provisions:

a) The recognized medical institution shall place orders for purchase to a manufacturer/supplier in Form I along with an authenticated photocopy of the order of the Drug Controller according recognition to the institution for the purpose of these rules, and a copy of the communication received from the Drug Controller conveying approval of the estimates. A copy of the purchase order shall be sent to the Drug Controller and the Narcotics Commissioner, Government of India.

b) The manufacturer/supplier shall dispatch morphine consignment(s) to the recognized medical institution only on the basis of an order for purchase received in Form I along with copies of recognition granted by the Drug Controller and the approved estimates communicated by the Drug Controller. The manufacturer/supplier shall dispatch the consignment of morphine along with a consignment note in quintuplicate in Form J appended to these rules. Copies of the consignment note shall be sent by the manufacturer/supplier to the Drug Controller in which the recognized medical institution is located and the Narcotics Commissioner. He shall

also keep a copy of the consignment note for his record and future verification, whenever necessary.

a) On receipt of the consignment, the recognized medical institution shall enter the quantity received with date in all the copies of the consignment note and retain the original consignment note, dispatch the duplicate copy to the supplier, the triplicate copy to the Drug Controller, the quadruplicate copy to the Drug Controller of the originating State (in cases where the consignment originated from outside the State) under whose jurisdiction the supplier is located and the quintuplicate copy to the Narcotics Commissioner

"20 G. Maintenance of Records – All records required under these rules shall be kept for a period of two years from the date of transaction and shall be open for inspection by the officers empowered by the State Government under the provisions of sections 41 and 42 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

"20H. Inspection of Stocks of morphine – The stocks of morphine under the custody of a recognized medical institution shall be open for inspection by the Drug Controller or any other Officer subordinate to him.

"20 I. Appeals – Any institution aggrieved by any decision or order passed by the Drug Controller relating to recognition revocation of recognition or rejection of estimates may prefer an appeal to the Secretary, Department of Health and Family Welfare, Government of Meghalaya, within ninety days from the date of communication of such decision or order.

(3) Insertion of new forms F,G,H, I and J. – After form E of the principal Rules the following new Forms F, G, H, I and J shall be inserted.

J. LYNGDOH,
Commissioner & Secretary to the Govt. of Meghalaya,
Excise, Registration, Taxation and Stamps Department.

FORM F
(See rule 20A (1))

1. Name of the Institution and Address :

2. Name of the Head/in-charge of the Institution :

3. No of persons employed.

   i. Doctors :

   ii. Nursing Staff :

   iii. Others :

4. No. of patients treated during the previous calendar year:

   i. Inpatient :

   ii. Outpatient :

5. Whether the hospital has facilities to treat cancer patients : Yes/No

6. No. of cancer patients treated during previous calendar year.
   i. Inpatient :

   ii. Out patient :

7. Name of the qualified medical practitioner who would prescribe morphine
   (if there are more than one qualified medical practitioner who would prescribe morphine, indicate the name of the medical practitioner who would be overall in charge)
8. Whether the institution's recognition for the purpose was withdrawn earlier (if the recognition was withdrawn earlier the details are to be given):

Station :

Date :

Signature of the Head/in-charge of the institution with name

FORM G
(See rule 20B(2)(c)

RECORD OF RECEIPT DISBURSEMENT AND BALANCE OF MORPHINE

Quantity in hand at the beginning of the day	**Details of quantity disbursed**				**Details of Quantity received in hand at the close of the day**			
	Sl. No	Quantity	Name of the person to whom disbursed	Medical practitioner who prescribed	Sl. No.	Quantity	Name of Person/Firms from whom received	Consign-ment Note/Bill of entry No.

Signature

Note:

1. This record is to be maintained on day to day basis and entries shall be made for each day the institution functions. Entries shall be completed for each day before the close of the day. The authorized medical practitioner/in-charge or any person authorized by them shall initial after entry of each day with date. The pages of the register shall contain necessary numbers.
2. This record shall be retained for two years from the date of last entry.
3. This record shall be produced to the authorized officers whenever called upon during the course of their inspection.

FORM H
(See rule 20C)

ESTIMATE OF ANNUAL REQUIREMENT

1. Name and address of the recognized medical institution.

2. Period for which the estimate is submitted.

3. Quantity disbursed during the previous year.

4. Quantity estimated to be disbursed during the year for which estimate is submitted.

5. Supplier who would supply the quantity.

SL.No.	Name and address of the supplier	Quantity

6. If there is a supplementary requirement, give details of annual requirements sent earlier and the reasons for giving a supplementary requirement.

Station :

(Signature of the authorized medical Practitioner/in-charge with name)

Date

FORM I

(See rule 20F(a) and (b))

To,

…….

…….

(Name and address of the supplier)

1. Name and address of the recognized medical institution which places the order.
2. Description of the quantity for which order is placed.
3. Whether the institution has been recognized by the Drugs Controller (A photocopy of the recognition is to accompany each order for purchase)
4. Whether this order is covered by the estimate approved by the Drugs Controller (A photocopy of the approved estimate is to accompany each order of purchase).
5. Details of other orders for purchase made during the year.

SL.No.	Quantity	To whom order was placed

Station : (Signature of the person authorized to place order with name and designation

Date

Note :

1. A copy of this order shall be kept by the recognized medical institution which places the order.

   This shall be retained for two years from the date of transaction.

FORM J

(See rule 20F (b))

CONSINGNMENT NOTE

(to accompany a consignment of morphine)

Date and time of dispatch of
the consignment……..

1. Name and address of consignor.

2. Name and address of the consignor i.e.
   Recognized medical institution.

3. Description and quantity of the consignment.

No. of package : Quantity

= Gross Net :

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4. Mode of transport (particulars of the transporter, Registration number of the vehicle, RR, if the transport is by railways etc.)

Signature of the Consignor with
date (Name and designation)

To be filled by consignee:

5. Date and time of receipt by the consignee and remarks.

6. Quantity received by the consignee.

No of packages Quantity

Gross Net

Signature of the Consignor
with date (Name and designation)

Note :

1. This consignment not shall be serially numbered on annual basis.

2. The consignor should record a certificate on the cover page of each book containing consignment notes indicating the number of pages contained in the consignment not book

3. The consignor should maintain a register showing the details of the books of consignment note brought in use during a particular year.

4. Each consignment of morphine shall be accompanied by this consignment note in quintuplicate (i.e. five).

5. The records referred to at items 2 to 5 above in this note shall be produced to the authorized officers whenever called upon during the course of their inspection.

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