

GENERAL CONDITIONS FOR GRANT OF LICENSE FOR CULTIVATION OF OPIUM POPPY

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2. ELIGIBILITY FOR GRANT OF LICENCE (a) Cultivators who have tendered an average yield of opium of not less than 54 kg/hectare in the States of Madhya Pradesh and Rajasthan and an average yield of [3(i)] opium of not less than 48 kg/hectare in Uttar Pradesh, shall alone be eligible for licence.(b) The above-mentioned criterion shall not be applicable to the cultivators of the following categories: (i) Who ploughed back their entire poppy cultivation during the crop year 2003-2004, under supervision of the Government in accordance with the provisions in this regard. However, the above clause will not be applicable in respect of those cultivators who had fully ploughed back their entire poppy crop during 2001-02 and 2002-03 also. (ii) Whose appeal against refusal of licence has been allowed after the last date of settlement in the crop year 2003-2004; or (iii) Who have cultivated poppy in the crop year 2001-02 or any subsequent crop year and were eligible for licence in the immediately following crop year, but did not voluntarily obtain the licence for any reason, or who, after having obtained the licence for the following crop year, did not actually cultivate poppy due to any reason

3. CONDITIONS OF LICENCE (a) 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 licensed for poppy cultivation during the crop year 2003-2004, (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 thereunder; and (iii) he/she did not during the crop year 2003-04 violate any Departmental instructions issued by the Central Bureau of Narcotics/Narcotics Commissioner or did not adulterate the opium procured by him/her before/while tendering the opium to the Government. The opium classified as inferior by the Government Opium Factories, Neemuch/Ghazipur will be treated as adulterated. (iv) cultivators who had tendered opium during the crop year 2003-04 which has been found to be of a consistency lower than 55 degree will be debarred from licence for the crop year 2004-05 (b) All cultivators, who had cultivated opium poppy during the crop year 2003-04 in more than two plots but tendered opium in accordance with the required Minimum 5 6 THE GAZETTE OF INDIA : EXTRAORDINARY Qualifying Yield (MQY), and also fulfilled other conditions of licence will be given licence for the crop year 2004-2005

4. MAXIMUM AREA (i) All eligible cultivators will be issued licence for IO are. However, cultivators can cultivate in any area less than the licensed area according to their capability and availability of water. (ii) A cultivator can sow opium poppy in not more than two plots. (iii) Notwithstanding anything stated above, the Government may allow an area more than IO are to any Agricultural Research Institute or Agriculture University in the opium growing States for research purposes

5. **CONDONABLE LIMIT** The condonable limit in respect of excess cultivation shall not exceed 500 of the licensed area

6. FOREWARNING (i) **A Minimum Qualifying Yield (MQY) of 58 kg/hectare in Madhya Pradesh and Rajasthan and 49 kg/hectare in Uttar Pradesh must be tendered during the crop year 2004-05 to become eligible for opium licence in the next crop year 2005-2006** (ii) **Cultivators, who had fully ploughed back their entire poppy crop during the crop year 2003-04, would not be entitled for licence for the crop year 2005-06 if they also uproot their crop fully in the crop year 2004-05** (iii) **Cultivators, whose opium for the crop year 2004-05 is found to be 'water mixed and of consistency lower than 55 degree, will not be eligible for licence in the next crop year 2005-06.**(iv) Cultivators, whose opium for the crop year 2004-05 is found to be 'adulterated' and classified as 'inferior' by the Govt. Opium & Alkaloid Works, Neemuch and Ghazipur, will not be eligible for licence in the next crop year 2005-06

7. MISCELLANEOUS (i) These instructions are without prejudice to the rights of the Narcotics Commissioner/ Deputy Narcotics Commissioners to issue / withhold a licence XTETIÄ : whenever it is deemed proper so to do in accordance with the provisions of the Narcotic Drugs & Psychotropic Substances Act, 1985 and the Rules made thereunder (ii) The licence will be subject to the condition that any field may be taken over for Joint Licit Opium Poppy Survey (JLOPS) that may be conducted by the Government or by the Government in collaboration with any specialized institution or agency. The cultivator whose field is selected for Joint Licit Opium Poppy Survey shall be considered for granting licence for the next year provided he has tendered the stipulated MQY for the following year, if otherwise eligible. The area selected for JLOPS experiments will not be taken into account while calculating yield (iii) The licence shall be subject to the further condition that any field may be selected for obtaining poppy straw without extraction of opium. The cultivators whose fields are selected for such use shall be eligible for licence for the next crop year, if otherwise eligible. (iv) The quantity of opium mentioned above will be calculated at 70 degree consistency, on the basis of analysis at Government Opium and Alkaloid Works, Neemuch and Ghazipur. (v) Notwithstanding anything stated above, opium cultivation will not be allowed in all such villages where the number of eligible cultivators are 5 or less. However, in respect of such villages, wherever possible, the affected cultivators will be given option to shift to such neighbouring village where opium cultivation is permitted. [No. 1/2004/F.N0. 616/1/2004-NARCOTICS CONTROL-11 S. K. SINGH, Under secy. Printed by the Manager, Govt. of India Press, Ring Road, Mayapuri. New Delhi-1 and Published by the Controller of Publications, Delhi-1 1(054. 7