

NDPS notifications  
empowering CEIB  
officers

## Section 7A

Ministry of Finance, Department of Revenue Notification S.O. 380(E) dated 29<sup>th</sup> May, 1989<sup>19</sup>

S.O. No. 380(E).—In exercise of the powers conferred by sub-section (1) of section 7A of the Narcotic Drugs and Psychotropic Substances Act, 1985, (61 of 1985), the Central Government hereby constitutes a Fund to be called the National Fund for Control of Drug Abuse.

## Section 8

Ministry of Finance, Department of Revenue Notification S.O. 389(E) dated 30<sup>th</sup> May, 1989<sup>20</sup>

S.O. 389(E).—In exercise of the powers conferred by the first proviso to section 8 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (61 of 1985), the Central Government hereby specifies the 15<sup>th</sup> May, 1989 as the date from which the prohibition against the cultivation of the cannabis plant for the production of ganja for any purpose other than medical and scientific purpose shall take effect.

Ministry of Finance, Department of Revenue Notification S.O. 390(E) dated 30<sup>th</sup> May, 1989<sup>21</sup>

S.O. 390(E). In exercise of the powers conferred by the first proviso to section 8 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (61 of 1985), the Central Government hereby specifies the 13<sup>th</sup> December, 1989 as the date from which the prohibition against the production, possession, use, consumption, purchase, sale, transport, warehousing, import inter-State and export inter-State of ganja for any purpose other than medical and scientific purpose shall take effect.

## Section 9A

Ministry of Finance, Department of Revenue Notification S.O. 197(E), dated 24<sup>th</sup> March, 1993<sup>22</sup>

S.O. 197(E).—In exercise of the powers conferred by section 9A of the Narcotic Drugs and Psychotropic Substances Act, 1985 (61 of 1985) read with Sub-clause (7) of clause 4 of the Narcotic Drugs and Psychotropic Substances (Regulation of Controlled Substance) Order, 1993 the Central Government hereby empowers the officers not below the rank of Sub-Inspector in the department of Narcotics and officers not below the rank of Inspector in the departments of Central Excise, Customs, Revenue Intelligence, Central Economic Intelligence Bureau, Intelligence Bureau and Narcotics Control Bureau for the purpose of said sub-clause.

## Section 36A

Ministry of Finance, Department of Revenue Notification S.O. 763(E), dated 27<sup>th</sup> September, 1989<sup>23</sup>

S.O. 763(E).—In exercise of the powers conferred by clause (d) of sub-section (1) of section 36A of the Narcotic Drugs and Psychotropic Substances Act, 1985 (61 of 1985), the Central Government hereby authorises the officers of and above the rank of Inspector in the Department of Customs, Central Excise, Narcotics, Revenue Intelligence, Central Economic

<sup>19</sup> Published in the Gazette of India, Extraordinary, Part II, section 3, sub-section (ii) dated the 29<sup>th</sup> May, 1989.

<sup>20</sup> Published in the Gazette of India, Extraordinary, Part II, section 3, sub-section (ii) dated the 30<sup>th</sup> May, 1989.

<sup>21</sup> Published in the Gazette of India, Extraordinary, Part II, section 3, sub-section (ii) dated the 30<sup>th</sup> May, 1989.

<sup>22</sup> Published in the Gazette of India, Extraordinary, Part II, section 3, sub-section (ii) dated the 24<sup>th</sup> March, 1993.

<sup>23</sup> Published in the Gazette of India, Extraordinary, Part II, section 3, sub-section (ii) dated the 27<sup>th</sup> September, 1989.

Intelligence Bureau and the Narcotics Control Bureau under the Ministry of Finance, Government of India for filing of complaints relating to an offence under the said Act before the Special Courts.

#### Section 41

Ministry of Finance, Department of Revenue, Notification S.O. 824(E), dated 14th November, 1985<sup>24</sup>

S.O. 824(E).—In exercise of the powers conferred by sub-section (2) of section 41 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (61 of 1985), the Central Government hereby empowers the officers, of and above the rank of superintendent (being officers of gazetted rank and working in the executive field), in the departments of Central Excise, Narcotics, Customs, and revenue Intelligence and in Central Economic Intelligence Bureau [and Narcotics Control Bureau] to exercise the powers specified in sub-section (2) of that section within the area of their respective jurisdiction.

Ministry of Personnel, Public Grievances and Pensions, Notification S.O. 3489 dated 25<sup>th</sup> September, 1986<sup>26</sup>

S.O. 3489.—In exercise of the powers conferred by sub-section (2) of section 41 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (Act 61 of 1985), the Central Government hereby empowers Superintendent of Police, Delhi Special Police Establishment, CIU (Narcotics) to exercise the powers specified in sub-section (2) of that section within the area of his jurisdiction.

#### Section 42

Ministry of Finance, Department of Revenue, Notification S.O. 822(E), dated 14th November, 1985<sup>27</sup>

S.O. 822(E).—In exercise of the powers conferred by sub-section (1) of section 42 and section 67 of the narcotic Drugs and Psychotropic Substances Act, 1985 (61 of 1985), the Central Government hereby empowers the officers of and above the rank of Sub-Inspector in the department of Narcotics and of a above the rank of Inspector in the departments of Central Excise, Customs and Revenue Intelligence and in Central Economic Intelligence Bureau [and Narcotics Control Bureau] to exercise of the powers and perform the duties specified in section 42 within the area of their respective jurisdiction and also authorises the said officers to exercise the powers conferred upon them under section 67.

Ministry of Personnel, Public Grievances and Pensions, Notification S.O. 3488 dated 25<sup>th</sup> September, 1986<sup>29</sup>

S.O. 3488.— In exercise of the powers conferred by sub-section (1) of section 42 and section 67 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (Act 61 of 1985) the Central Government hereby empowers officers of and above the rank of Inspector of Police in the Delhi Special Police Establishment, CIU (Narcotics) to exercise the powers and perform the duties specified in section 42 within the area of their respective jurisdiction and also authorises the said officers to exercise the powers conferred upon them under section 67.

<sup>24</sup> Published in the Gazette of India, Extraordinary, Part II, section 3, sub-section (ii) dated the 14<sup>th</sup> November, 1985.

<sup>25</sup> Inserted by notification S.O. 3778 dated 1<sup>st</sup> November, 1986 published in the Gazette of India, Extraordinary, Part II, section 3, sub-section (ii) dated the 1<sup>st</sup> November, 1986.

<sup>26</sup> Published in the Gazette of India, Part II, Section 3(ii), dated 11<sup>th</sup> October, 1986.

<sup>27</sup> Published in the Gazette of India, Extraordinary, Part II, section 3, sub-section (ii) dated the 14<sup>th</sup> November, 1985.

<sup>28</sup> Inserted by notification S.O. 3776 dated 1<sup>st</sup> November, 1986 published in the Gazette of India, Extraordinary, Part II, section 3, sub-section (ii) dated the 1<sup>st</sup> November, 1986.

<sup>29</sup> Published in the Gazette of India, Part II, Section 3(ii), dated 11<sup>th</sup> October, 1986.

Ministry of Finance, Department of Revenue, Notification S.O. 901 dated 20th April, 2010<sup>30</sup>

S. O. 901 (E).—In exercise of the powers conferred by sub-section (1) of Section 42 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (61 of 1985) read with Section 67 thereof and Section 153 of the Sashastra Seema Bal Act, 2007 (53 of 2007), the Central Government hereby empowers the officers, not below the rank of Head Constable of Sashastra Seema Bal, to exercise the powers and perform duties specified in Sections 42 and 67 within the area of his jurisdiction.

#### Section 52A

Ministry of Finance, Department of Revenue, Notification S.O. 381(E), dated 29th May, 1989<sup>31</sup>

S.O. No. 381(E).—In exercise of the powers conferred by sub-section (1) of section 52 A of the Narcotic Drugs and Psychotropic Substances Act, 1985 (61 of 1985), the Central Government, having regard to their hazardous nature, vulnerability to theft, substitution and constraints of proper storage space, specifies the following narcotic drugs and psychotropic substances, namely:—

##### 1. Narcotic Drugs:

- (i) Opium;
- (ii) Morphine;
- (iii) Heroin;
- (iv) Ganja;
- (v) Hashish;
- (vi) Codeine;
- (vii) Thebaine;
- (viii) Cocaine;
- (ix) Poppy straw and any other manufactured drug as defined under clause (xi) of section 2 of the Act.

##### 2. Psychotropic Substances:

- (i) Methaqualone;
- (ii) T.H.C.;
- (iii) Amphetamine; and
- (iv) any other psychotropic substances as defined under clause (xxiii) of section 2 of the said Act.

#### Section 53

Ministry of Finance, Department of Revenue, Notification S.O. 823(E), dated 14th November, 1985<sup>32</sup>

S.O. 823(E).—In exercise of the powers conferred by sub-section (1) of section 53 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (61 of 1985), the Central Government, after consultation with all the State Governments hereby invests the officers of and above the rank of Inspector in the Departments of Central Excise, Narcotics, Customs, and Revenue Intelligence and in Central Economic Intelligence Bureau <sup>33</sup>[and Narcotics Control Bureau] with the powers specified in sub-section (1) of that section.

<sup>30</sup> F.No. N-11012/3/2009-NC-II.

<sup>31</sup> Published in the Gazette of India, Extraordinary, Part II, section 3, sub-section (ii) dated the 29<sup>th</sup> May, 1989.

<sup>32</sup> Published in the Gazette of India, Extraordinary, Part II, section 3, sub-section (ii) dated the 14<sup>th</sup> November, 1985.

<sup>33</sup> Inserted by notification S.O. 3777 dated 1<sup>st</sup> November, 1986 published in the Gazette of India, Extraordinary, Part II, section 3, sub-section (ii) dated the 1<sup>st</sup> November, 1986.