

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

NARCOTIC DRUGS – The Andhra Pradesh Narcotic Drugs and Psychotropic Substances Rules, 1986 – Amendment – Orders – Issued.

REVENUE (EX.III) DEPARTMENT

G.O.Ms.No. 882

Dated:21-08-2009

Read the following :-

1. G.O.Ms.No.186, Revenue (E) Department, dated 14-02-1986.
2. From the Revenue Secretary, Govt. of India, Ministry of Finance, New Delhi, D.O.Lr.No.664/63/97-NC, dated 07-05-1998.
3. From the Inspector General, Drugs and Copyright, Drugs Control Administration, Hyderabad, Lr.Rc.No.6911/M3A/98, dt:22-06-1998 and 24-06-1998.
4. From the Commissioner of Prohibition and Excise, Lr.Cr.No.497/2007/DOE/C3, dated 06-01-2009.

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ORDER :-

The following notification will be published in Andhra Pradesh Gazette dated 26-08-2009 :-

NOTIFICATION

In exercise of the powers conferred by sections 78 read with section 10 and sub-section (2) of section 71 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (Act 61 of 1985), the Governor of Andhra Pradesh hereby makes the following amendments to the Andhra Pradesh Narcotic Drugs and Psychotropic Substances Rules, 1986 issued in G.O.Ms.No.186, Revenue (E) Department, dated 14-02-1986 and published in the Rules Supplement to Part-I, Extra-ordinary of the Andhra Pradesh Gazette, dated 27-03-1986.

AMENDMENTS

In the said rules: -----

1. in rule 2,
 - (i). after clause (p), the following shall be inserted, namely;--
“(pa) “Morphine” includes any preparation containing Morphine”.
 - (ii). after clause “(r) Permit”, the following shall be inserted, namely;---
“(ra) “Recognised Medical Institution means a Hospital or Medical Institution recognized for the purposes of chapter-VA”.
2. after chapter V, the following shall be inserted, namely; -----

“CHAPTER – V.A”

Special provisions relating to use etc., of Morphine by recognized medical institutions.

P.T.O.

100.A. Without prejudice to the generality of the provisions of these rules, possession, transport, purchase, sale, import inter-state, export inter-state or use of morphine or any preparation containing morphine in respect of a recognized medical institution shall be as follows -----

100.B. Recognition of Medical Institutions :-

- (1) Every medical institution which intends to be recognized, for the purpose of this chapter, shall apply in Form-NDPS-7 to the Drug Controller appointed by Government who shall conduct necessary enquiry as deemed fit and convey his decision within three months from the date of receipt of the application. A copy of such communication shall be forwarded to the Commissioner of Prohibition and Excise, Andhra Pradesh, Hyderabad.
- (2) If it comes to the notice of the Drugs Controller that Morphine obtained by the recognized institution is being supplied for non-medical use or the said institution has not complied with any of the rules under this Chapter, the Drug Controller may, for reasons to be recorded in writing, revoke the recognition accorded under these rules. A copy of such order shall be forwarded to the Commissioner of Prohibition and Excise, Andhra Pradesh, Hyderabad.

100.C. Duties of Recognised Medical Institution :-

- (1) Every recognized Medical institution shall designate one or more qualified medical practitioners who may prescribe morphine for medical purposes. When more than one qualified medical practitioner have been designated, one of them shall be designated as overall in-charge.
- (2) It shall be the duty of the institution so recognized to ensure that morphine obtained by them is used for medical purpose only.
- (3) The designated medical practitioner or the overall in-charge, as the case may be, shall,
 - (a) endeavour to ensure that the stock of morphine is adequate for the needs of the patient.
 - (b) maintain adequate security over the stock of morphine.
 - (c) maintain a record of all receipts and disbursements of morphine in Form NDPS-8.
 - (d) ensure that estimates and other relevant information required to be sent by the recognized medical institution under this chapter are sent to the authorities concerned.
- (4) The institution shall preserve a copy of the prescription in which morphine is prescribed and sold with the signature, registration number and stamp of the competent oncologist.

100.D. Sending of estimates of requirement of morphine by the recognized medical institution:-

Every recognized medical institution shall send their annual requirement of morphine in Form NDPS-9 to the Drug Controller by the 30th November of the preceding year along with the name and address of the supplier from whom they intend to buy it.

100.E. Approval of estimates by the Drug Controller:-

The Drug Controller, who receives the annual requirement, shall dispose it after satisfying himself on the information furnished to him. A reply on estimates whether approved or not shall be sent before the 21st December of the preceding year. A copy of the communication shall be sent to the supplier, whose name has been given in the estimate with a copy to the Commissioner of Prohibition and Excise, Andhra Pradesh, Hyderabad. If the supplier is located in another State copy is also marked to the Drug Controller of that State, the Drug Controller General of India and the Narcotics Commissioner of India.

100.F. Supplementary estimates :-

If the requirement of the recognized medical institution exceeds the annual estimate approved by the Drug Controller, the recognized medical institution may send a supplementary estimate in the same manner as the annual estimates at any time to the Drug Controller which shall be disposed by the Drug Controller.

100.G. The provisions in respect of possession, transport purchase, sale, import, inter-State, Export inter-State or use of manufactured drugs in other Chapters shall not apply to possession transport, purchase, sale, import inter-State, export inter-State or use of morphine in respect of a recognized medical institution and shall be as follows :-

- (A): The recognized medical institution shall place orders for purchase of morphine to a manufacturer or supplier in Form NDPS-10 along with photocopies of the recognition granted by the Drug Controller and the approved estimate communicated by the Drug Controller. A copy of the order for purchase shall be sent to the Drug Controller of the State, the Commissioner of Prohibition and Excise, Andhra Pradesh, Hyderabad and the Narcotics Commissioner of India.
- (B): Every manufacturer / Supplier shall send morphine to the recognized medical institution only on the basis of an order for purchase received in Form NDPS-10 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 morphine consignment along with a consignment note in quintuplicate in the Format given in Form NDPS-11. Copies of the consignment note shall be sent by the manufacturer / Supplier to the Drug Controller of the State in which the manufacturer / Supplier is located, the Commissioner of Prohibition and Excise, Andhra Pradesh, Hyderabad, the Drug Controller of the State in which the recognized medical institution is located and the Narcotics Commissioner of India. He shall also keep a copy of the consignment note.

- (C): On receipt of the consignment the recognized medical institution shall enter the quantity received with date in all the copies of the consignment note, retain the original consignment note, send the duplicate to the supplier triplicate to the Drug Controller, the quadruplicate to the Drug Controller of the State (in cases in which the consignment originated outside the State) in which the supplier is located and the quintuplicate to the Narcotics Commissioner of India. A copy of the acknowledgement of consignment may be given to the State House Officer of Prohibition and Excise of the Area of jurisdiction.

100.H. Maintenance of records:-

All records maintained under this chapter shall be kept open for inspection by the officers empowered by the Government under section 41 and 42 of the Act for a period of two years from the date of transaction.

100.I. Inspection of stocks of morphine :-

The stocks of morphine under the custody of a recognized medical institution shall be kept open for inspection by the Drug Controller or any other Officer Subordinate to him or the Officer of other departments of the Government empowered under sections 41 and 42 of the Act.

100.J. Appeals:-

Any institution aggrieved by any decision or order passed by the Drug Controller relating to recognition revocation of recognition of any institution or estimates may appeal to the Secretary, Health Medical and Family Welfare within ninety days from the date of communication of such decision or order.

3. After Form NDPS-6, the following shall be added, namely:-

**FORM- NDPS-7
[See rule 100-B]**

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) out patient :
5. Whether the hospital has facilities to Treat cancer patients. :

6.

No. of patients treated during previous calendar year.	Cancer	Proven symptoms of terminal illness	Congestive Heart failure
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 : Yes / No
 purpose was withdrawn earlier (if the recognition was withdrawn earlier the details are to be given).

9. Details of licenses held under Drugs and :
 Cosmetics Act, 1940.

Station :
 Date:

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

FORM- N.D.P.S.-8
[See rule 100-C]

RECORD OF RECEIPT, DISBURSEMENT AND BALANCE OF MORPHINE

Date:

Quantity in hand at the beginning of the day	Details of quantity received				Details of quantity disbursed				Patient indication	Quantity in hand at the close of the day.
	Sl. No.	Qty	From whom received	Consignment Note / Bill of Entry No.	Sl. No.	Qty	Name of the person and address to whom disbursed	Name of the medical practitioner who prescribed with Reg. No.		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)

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 number.
2. This record shall be retained for two years from the date of last entry.

P.T.O.

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3. This record shall be produced to the authorized officers whenever called upon during the courses of their inspection.

N.D.P.S.-9
[See rule 100-D]

ESTIMATE OF ANNUAL REQUIREMENT OF MORPHINE

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

Station: _____ (Signature of the authorized
Date : _____ medical practitioner/in-charge
with name)

N.D.P.S. -10
[See rule 100-G(A)]

ORDERS FOR PURCHASE

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.

P.T.O.

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3. Whether the institution has been recognized by the Drug 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 drug 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
Date: _____ order with name and designation, if any)

NOTE:

1. A copy of this order shall be kept by the recognized medical institution which placed the order.
2. This shall be retained for two years from the date of transaction.

**N.D.P.S. -11
(See rule 100-G(B))**

Serial No. _____

CONSIGNMENT NOTE

(To accompany a consignment of Morphine)

Date and time of dispatched of
consignment _____

1. Name and address of consignor
2. Name and address of the consignee i.e., recognized medical institution.
3. Description and quantity of the consignment

No. of Packages	Gross	Quantity	Net

P.T.O.

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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, if any)

To be filled by consignee :-

5. Date and time of receipt by the consignee and his remarks.
6. Quantity received by the consignee :-

No. of Packages	Gross	Quantity	Net
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Signature of the Consignee
with date (Name and designation, if any)

Note:-

1. This consignment note 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 note-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. This consignment note shall be retained for a period of two years from the date of transaction.
6. 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.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner of Printing, Stationery and Stores Purchase
(Ptg.Wing) Department, Hyderabad for publication of the
Notification in the Andhra Pradesh Gazette and supply
of 100 copies to Govt.
The Director General, Drugs Control Administration, A.P., Hyderabad.

P.T.O.

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The Inspector General, Drugs and Copyright,
Drugs Control Administration, Vengalraonagar, Hyderabad-38.
The Commissioner of Prohibition and Excise, A.P., Hyderabad.
The Revenue Secretary to Govt., Ministry of Finance,
Government of India, New Delhi.

Copy to:-

The Director of Health, A.P., Hyderabad.
The Director of Medical Education, A.P., Hyderabad.
The Commissioner, A.P.Vaidya Vidhana Parishad, Hyderabad.
The Director, MNJ Institute of Oncology & Regional Cancer Centre,
Red Hills, Hyderabad.
The P.S. to Principal Secretary to Chief Minister.
The P.S. to Minister (H&FW, VVP & HS).
The H.M.& F.W (L2) Department.
The General Administration (Ser.D) Department.
The Law (E) Department.
SF/SC.

//Forwarded//By Order//

SECTION OFFICER.