

Poisons Act, 1919

Section 1 - SHORT TITLE AND EXTENT

POISONS ACT, 1919 POISONS ACT, 1919 12 of 1919 [3rd September, 1919] STATEMENT OF OBJECTS AND REASONS "The Poisons Act of 1904 was intentionally limited in scope so as to restrict interference with legitimate industries as much as possible. As the result of these limitations however, the control afforded by the Act over the traffic in poisons has been proved by experience to be inadequate. In 1910 and 1914, the Government of U.P. suggested certain radical amendments in the Act to remedy this defect. The suggestions were referred to Local Governments and Administrations for opinion. The replies received showed a general, agreement in favour of the suggestions of the Government of the United Provinces. A new Bill has accordingly been prepared which will repeal the Poisons Act of 1904. The more important features of the Bill are - (1) The substitution of a single clause (clause 2) for Sections 2,4and6of the existing Act with the object of empowering Local Governments to regulate the possession for sale and the sale, whether wholesale or retail, of any specified poison anywhere within their respective territories, instead of in municipalities and cantonments only. (2) All expansion of the provisions of Sections 3and5of the Act so as to make them cover, not only white arsenic but any poison specified in notifications or issued in accordance with those sections (Clauses 3 and 4). (3) The exclusion of the classes (b), (c) and (d) mentioned in S. 10(1) of the Act with the effect of reducing the number of exempted classes to one, viz., medical and veterinary practitioners. (4) The addition of a clause (Cl. 9(3)(b)) empowering Government to exclude individual members of the exempted class (i.e. medical and veterinary practitioners) for the benefit of the exemption conferred by Section 10(1)of the Act. The opportunity has also been taken to make some verbal alterations in the Act; and Section 11, which is spent has been omitted." -Gaz. of Ind., 1919, Part V, page 22. Amending Act 47 of 1958.- The Poisons Act, 1919, which deals with the importation possession and Sale of Poisons, does not extend to the territories comprised in the former Part B States. After the passing of the States Reorganisation Act, 1956, it was found that in certain States like Andhra Pradesh and Madras, the Central Poisons Act was in force in the greater part of the State, but local Acts like the Hyderabad Poisons Act and the Travancore-Cochin Poisons Act, continued to be in force in other parts which were included as a result of the reorganisation. In consultation with the State Governments it is now proposed, in the interests of uniformity, to extend the Central Poisons Act to the territories comprised in the former Part B States and to repeal any corresponding laws in force therein. The Bill seeks to achieve this object -Gaz. of India, 17-9-1958, Pt. II, S. 2, Ext.. p. 999. An Act to consolidate and amend the law regulating the importation, possession and sale of poisons 1[* * *] WHEREAS it is expedient to consolidate and amend the law regulating the importation, possession and sale of poisons1[* * *]; It is hereby enacted as follows :- This Act has been extended to the new Provinces and merged States by the Merged States (Laws) Act, 1949 (59 of 1949), Section 3(1-1-1950) and to the States of Manipur, Tripura and Vindhya Pradesh bythe Union Territories (Laws) Act, 1950 (30 of 1950). Section 3(16-4-1950), Manipur and Tripura are States now but Vindhya Pradesh is a part of Madhya Pradesh State -See Act 37 of 1956, Section 9 (1)(c). It has also been extended to States merged in the State of- Bombay : see Bom. Act 4 of 1950, Section 3 (30-3-1950). Punjab : see Punj. Act 5 of 1950. Section 3 (15-4-1950). The Act was extended to Berar by Act 4 of 1941. It was declared to be in force in the districts of Khondamals and Angul by Regns.4 and 5 of 1936, Section 3 and Schedule. Anguul and Khondmals are parts of Orissa State now. Regulation 5 of 1936 has been repealed by Orissa Act 19 of 1967 (15-9-1967). The Act has now been extended to the Union territory of- (1) Dadra and Nagar Haveli by Regn. 6 of 1963; (2) Laccadive, Minicoy and Amindivi Islands by Regn. 8 of 1965 (1-10-1967); (3) Pondicherry by Act 26 of 1968 (18-12-1968). 1) This Act may be called The Poisons Act, 1919. 2[(2) It extends lo the whole of India: Provided that it shall not apply to the State of Jammu and Kashmir except to the extent to which the provisions of this Act relate to the importation into India of any specified poison.]

