STANDING ORDER NO. Lic.& Leg./23/2022

GUIDELINES FOR ISSUANCE OF LICENCE FOR SALE OF POISON/ACID

1 INTRODUCTION

The Hon'ble Supreme Court of India in the matter of 'Laxmi Vs Union of India and others' [2013(9) scale 291] directed on 18/07/2013 that the States/Union territories shall regulate sale of acid and other corrosive substances. The Hon'ble Lieutenant Governor of NCT of Delhi thereafter notified the Rules, in exercise of the powers conferred by Section 2 & 8 of the Poisons Act, 1919 vide notification N.F8/Misc/2012/HP-II/6985-96 dated 25/08/2017 which are called "The Delhi Poisons Possession and Sale Rules, 2015", which shall extend to the whole of the National Capital Territory of Delhi.

2 OBJECTIVE

In order to give effect to the order of the Hon'ble Supreme Court of India and the Delhi Poisons Possession and Sale Rules, 2015, this Standing Order is being issued setting out the guidelines for issuance of license for sale of poisons, acid and other corrosive substances in Delhi.

3 PROCEDURE FOR OBTAINING LICENSE FOR POSSESSION OR SALE OF POISONS

As per Rule 2 (c) of the Delhi Poisons Possession and Sale Rules, 2015, 'Licensing Authority' means the Commissioner of Police or any other officer authorized under sub-section (1) of Section 7 of the Poison Act-1919 to grant a license. In Delhi, the Joint/Addl./Deputy Commissioner of Police, Licensing Branch, as the case may be, is authorized to grant license. No person, unless exempted under the provisions of the Act, shall sell or possess for sale any poison specified in the Schedule except under a license in "Form A" as per **Annexure-I** granted or renewed in that behalf by the Licensing Authority, subject to provisions of Rules 8 and 9,

4 APPLICATION FOR GRANT OR RENEWAL OF LICENSE:

(i) The procedure for filing application for grant/renewal of license shall be as under:

(a) Every person desiring for the grant of license or renewal of a license shall make a written application to the Licensing Authority in 'Form- B' as per **Annexure-II** and such application shall bear a fee of Rs. 500/- (Rupees five hundred) only as renewal fee per year for five years, which is further subject to a decision taken in this regard by the GNCT of Delhi (Provided that application for renewal of a license is made more than three months prior to the date of the expiry of the license).

(b) As per Rule 6(10) (a), in case the application, with accompaniments required under Rule (1), is not received within the time specified above i.e. more than three months prior to the date of the expiry, but is received before the expiry, license shall be renewed only on payment of a fee amounting to twice the fee ordinarily payable i.e. Rs. 1000/- (Rupees one thousand) only(per year).

(c) In case an application with accompaniments is received by the Licensing Authority after the date of expiry, but not later than 30 days from the date of expiry, the license may, without prejudice to any other action that may be taken in this regard, be renewed on payment of thrice the fee ordinarily payable i.e. Rs. 1500/- (Rupees one thousand five hundred) only (per year).

(d) No license shall be renewed if the Licensing Authority receives the application for renewal after thirty days of the date of its expiry.

(ii) Application (s) for duplicate license, when the original is lost or destroyed shall be made in writing and shall bear a court fee stamp of Rs. 500/- (Rupees five hundred) only.

(iii) In case of any change in the place of business of the licensee, a fresh application for license shall be made to the Licensing branch and such application shall bear a court stamp of Rs. 500/- (Rupees five hundred) only.

(iv) The licensee shall prominently display the license in the place of business.

5 LICENSE TO WHOM GRANTED:

(i) The applicant/licensee shall comply with the provisions of 'The Manufacture, Storage and Import of Hazardous Chemical Rules, 1989'.

(ii) A license shall be granted only to a person not below the age of 21 years and not of unsound mind, and who in the opinion of the Licensing Authority is competent to conduct business in poisons. The Licensing Authority, besides other things, will consider: -

a) Conviction in any offence involving violence or moral turpitude and sentenced for a term of more than six months at any time during a period of last five years;

b) Execution of a bond under Chapter VIII of the Code of Criminal Procedure, 1973 for keeping peace or for good behavior during last five years;

c) Cancellation of an earlier license of the applicant, under this Act any time during last five years and

d) Report of local police regarding antecedents of the applicant.

NOTE: As laid vide Rule 12(1) of Delhi Poisons, Possessions and Sale Rules, 2015, the licensee has to be imparted training to conduct business in poisons. As such, till receipt of further clarification from the GNCT of Delhi as to who will impart the training, the Licensing Authority, shall, while granting license, check and ascertain about the training skills acquired by the Licensee and maintain a record thereof.

(iii) The license issued to a firm or company shall always be in the name of the Proprietor or Proprietors of the company or a responsible person to be nominated by such proprietor or proprietors for the purpose, or in the case of a public company, in the name of its manager.

(iv) The name or names so given may be altered or amended by the Licensing Authority on a written application from the firm or company and such application shall bear a court fee stamp of rupees one hundred. The firm or the company

shall specify the specific reasons in the application for such alteration/amendment.

6 PROCEDURES FOR SUBMITTING APPLICATIONS

The applicant shall make an application on 'Form-B' as per **Annexure-II** as provided in "The Delhi Poisons Possession and Sale Rules, 2015" to the Licensing Authority (i.e. Joint/Addl./ Deputy Commissioner of Police Licensing Unit Delhi Police, as the case may be) along with the following documents for Grant of License for Possessions and Sale of Poisons/Acids:-

(i) Request letter/Application of the applicant with full detail of the quantity and purpose of Poisons for which License is to be applied.

(ii) Proof of ownership or right of possession of premises, viz. sale deed/lease deed/allotment documents/rent deed duly signed by the applicants (6 copies).

(iii) Self-attested NOC from landlord, in case of tenancy/lease.

(iv) NOC/Clearance from Delhi Pollution Control Committee (DPCC).

(v) Site plan/ key plan and structural safety certificate attested by an authorized architect of the proposed site duly verified by the applicant (6 copies).

(vi) A formatted self-attested Affidavit containing general information in respect of applicant on stamp paper of Rs-10/- along with its necessary enclosures signed by the applicant as per **Annexure-III.**

(vii) Proof of Date of Birth.

(viii) Aadhar Card of applicant/applicants. In case the applicant does not have Aadhar Card, a written declaration in the form of an Affidavit to be submitted in this regard along with an alternative identification proof which may include Passport or Voter's Identification Card or Permanent Account Number(PAN) card or Identity Card issued to the employees;

(ix) PAN card (or Form 60).

(x) GST Registration Certificate.

(xi) I.T. Returns of preceding 3 years.

(xii) In case applicant is an employee/representative of any firm/ company, an authority letter in favour of applicant or signing authority/person issued by the firm/company, accompanied by certified Board Resolution. Every application submitted by a company for the grant of license shall be accompanied by the following documents, namely: -

a) Original copy of the Board Resolution passed or an Authority letter confirming the appointment of responsible person.

b) Certified copies of the founding documents of the company including Memorandum and Articles of Association.

(xiii) Medical Certificate especially about mental health of the applicant with specific mention that the applicant is not dependent on the intoxicating or narcotic substances as per **Annexure-IV.**

7 MODE OF PAYMENT OF FEE

All kind of fee payment shall only be accepted through the Debit Card/Credit Card at fee counter in Licensing Branch.

8 PROCEDURE TO BE FOLLOWED BEFORE GRANTING THE LICENSE

The following procedure shall be followed by the office of Joint/Addl./Deputy Commissioner of Police Licensing Unit, Delhi before issuing License for Possession and Sale of Poisons/Acids as per the **Schedule "A" &"B"** of "The Delhi Poisons Possession and Sale Rules, 2015 in the National Capital Territory of Delhi.

A NOC From Local Police

(i) To check the antecedents of the applicant from the Police Station record and SCRB/NCRB/ICJS as per the details submitted by the applicant in his application and Affidavit.

(ii) To check that the proposed premises/site is not located in close proximity of a thickly populated area, which could be hazardous to public safety.

(iii) Check if there is any apprehension of law and order problem on account of the proposed site.

(iv) Whether the proposed site would cause risk, danger, damage or annoyance to residents of the locality.

(v) To check the right of applicant over proposed site and whether the land belongs to Govt. or local bodies or private parties and whether any litigation is going on about the ownership.

(vi) To check the site/premises is the same as shown in the plan submitted by the applicant.

B **NOC from Traffic Police**

(i) Whether there will be any traffic management problem from traffic regulation point of view and also whether entrance and exit to and from the site are convenient, easy, adequate and satisfactory.

(ii) Whether there is adequate space for the movement of vehicles inside the proposed premises.

C **NOC from Chief Fire Officer**

The inspecting Officer of Fire Department while inspecting the premises shall ensure that the provisions as contained in Delhi Fire Service Act, 2007 and the Delhi Fire Service Rules-2010 are complied with by the applicant. The premises should be safe from fire safety and escape route point of view. The accessibility of fire tenders to the site in case of emergency and preparedness of fire service and the applicant for combating emergencies arising out of fire should have been considered. Offsite facilities in the interest of public safety like Schools, Hospitals, and places of public assembly in proximity and the mitigating measures provided/proposed by the applicant may be considered, while issuing NOC. The premises or shops, as the case may be, for Poisons/Acids/Corrosive storage should not be located near any store or shop dealing with any combustible and inflammable material which could endanger public

safety at the site of the such Poisons/Acid Storage. The NOC from the Fire Department should be issued after satisfying themselves about compliance of various rules and regulations issued from time to time or any other matter pertinent to public safety certifying that site/premises is in conformity with the National Building Code of India and building bye-laws related to storage of hazardous chemicals/Poisons/Acids/Substances.

D **NOC from Land Owning Agency**

MCD/DDA /NDMC/ DUSIB/ Delhi Cantonment Board to ascertain at the location of the shop/premises in the commercial street or commercial shopping centre as per Master Plan Delhi-2021 or any objection, if any, from municipal by-laws/land regulation point of view.

If the land/proposed site in question stands acquired by any Govt. Authority for any use other than this purpose, no license should be granted in respect of such site. If the land has been notified under section 4 and 6 of the Land Acquisition Act, a license would be issued only after getting clearance from the notifying agency.

The NOC shall be issued certifying that site/premises is in conformity with the relevant National Building Code of India, Building Bye-Laws, and Master Plan of Delhi (MPD) related to storage of hazardous Chemicals/Poisons/Acids/ Substances.

E **NOC from Electrical Department, GNCT, Delhi**

The Inspecting Officer of the Power Department of the Govt. of NCT of Delhi while inspecting the premises shall ensure that the provisions as contained in the Electricity Act-2003 and the Rules & Regulations made there under are complied with by the applicant. He should also ensure that the shops/premises should have no electrical apparatus or battery or oil lamp or similar equipment capable of producing spark or ignition and all electrical wiring in the shop/premises should be fixed and effectively sealed or conduit or mechanically protected. The main switch or circuit breaker should be provided at the immediate accessible position outside the premises. It shall also be ensured that no high-power tension wires/such electric power wires are passing through the proposed

site/premises. The NOC from the Electrical Department should be issued after satisfying themselves about compliance of various rules and regulations issued from time to time or any other matter pertinent to public safety.

F **Inspection of proposed site by nominated officer of Licensing Unit**

The Joint/Addl./Deputy Commissioner of Police, Licensing on getting positive reports from Delhi Fire Service, Local Police, Traffic Police, Land Owning Agencies and Electrical Department, GNCT, Delhi shall satisfy himself after spot inspection by a nominated officer (ACP/Inspector). Format of inspection of site/shop etc. is annexed at **Annexure-V**. Nominated Officer shall ensure that no high-power tension wires/electric power wires passing through the proposed site and situation of the site is the same as shown in the site plan submitted by the applicant. The license shall be issued only after the above procedure is carried out (any time). All the application forms along with documents, inspection reports and approvals shall be scanned and stored in the central server.

9 DURATION OF LICENSE

Subject to the provisions of Rules 8 and 9 of Notification a license granted or renewed under these rules shall remain in force for five years from the date of issue.

10 PURCHASE OF POISONS BY THE LICENSEE

The holder of licence issued by Licensing Unit, Delhi Police shall only purchase poisons and/or acids from the authorized person/Licensee under "The Manufacture, Storage and Import of Hazardous Chemical Rules, 1989". No poisons and/or acids shall be purchased from any unauthorized person. It shall be viewed as gross violation of these Rules.

A license granted under the Delhi Poisons Possession and Sale Rules, 2015 shall not be transferrable or assignable but shall be personal for the benefit of the persons only to whom it is granted and where such person transfers or assigns his business to any other person or enters into an agreement with another person, involving his giving up the conduct or control over the business, the license granted to him shall stand terminated from the date of such transaction. However, in case of death of the licensee, his heir

or legal representative may make an application within one month from the date of death to the Licensing Authority, to have the benefit of license for the unexpired portion of the term of the license and the Licensing Authority may decide the application having regard to the provisions of Delhi Poisons Possession and Sale Rules, 2015.

11 TRANSPORTATION OF POISONS/ACIDS

The safety codes and safety requirements to be followed in transportation of poisons and/or acids are given in the Delhi Poisons Possession and Sale Rules, 2015 and the same shall be followed by the licensee. The safety codes and safety requirements to be followed in transportation of hazardous materials are laid down in Central Motor Vehicle Rules, 1989.

In case poisons and or acids are procured from outside of Delhi by the Licensee, NOC is to be obtained from the Licensing Authority and Travelling License is to be obtained from the concerned Licensing Authority from where such substances are to be purchased.

12 CUSTODY, DISPLAY, PACKING, LABELLING, STORAGE, SECURITY, INCIDENT MANAGEMENT

The requirements as prescribed in Delhi Poisons Possession and Sale Rules, 2015 shall be followed by the licensee.

13 SALE OF POISON

(i) Every sale of poison, shall, as far as practicable, be made by the license-holder in person or where the license-holder is a firm or a company, through or under supervision of, an accredited representative or such firm or company.

(ii) A person holding license for possession and sale of poisons granted under these rules shall store and sell from the premises specified in the license.

(iii) The permissible quantity of storage and sale of acid should be decided on case-to-case basis by the Licensing Authority based on the production of record of sales for the preceding year by the applicant/licensee, till a notification in this regard is issued by the Competent Authority.

(iv) The contravention of any rule regarding sale or possession for sale shall be punishable in terms of provisions laid down under Section 4 (2) of the Poisons Act, 1919.

A copy of the 'The Delhi Poisons Possession and Sale Rules, 2015" shall always be displayed in prominent position at the place of business specified in the license granted under Rule-4.

14 PERSON TO WHOM POISONS MAY BE SOLD

A license holder shall not sell any poison to any person, unless the latter is personally known to him, or identified to his satisfaction by producing a photo identity card which has his address or substantiate it with a document giving his address and the same shall be retained for record. He shall also ascertain before selling any poison, the name, telephone and address of the purchaser and the purpose for which the poison is purchased. He shall not sell any poison to any person who appears to him to be under the age of 18 years, or to any person who does not appear to him to be in full possession of his faculties.

15 REGISTERS OF SALES OF POISONS

(i) Every license holder shall maintain a register as per **Annexure-VI,** in which he shall enter correctly all sales of poison other than those used by a Chemist, Druggist or Compounder dispensing or compounding in compliance with the prescription of a qualified medical or veterinary practitioner. The following details shall be entered in such register in respect of such sale, namely (a) Serial No. (b) Name of poison (c) Quantity Sold, (d) Date of sale (e) Name and address of the purchaser, serial number of the photo-identity card produced and the name of the issuing authority (f) Purposes for which the poison was stated by the purchaser to be required, (g) Signature of purchaser (or thumb impression, if illiterate), or in the case of purchase by post date on which the letter was written and reference to the original in the file in which it is preserved, (h) Signature of a person identifying the purchaser if any(or thumb impression, if illiterate) and (i) Signature of Dealer.

The register shall be filed with the concerned SDM every quarter.

(ii) In a separate portion of the register, he shall enter in separate columns for each poison, the quantity of each

poison sold daily, and those entries shall be filled up from day to day.

(iii) The signature in the register prescribed under sub rule (1) of Rule 15 of Notification shall be that of the license-holder himself, or when the license holder is a firm or company, that of an accredited representative of such firm or company and shall be written at the time of sale or dispatch to the purchaser. Such signature shall be held to imply that the signatory had satisfied himself that the requirements of Rule 14 of Notification have been fulfilled.

(iv) *All* letters or written orders referred to under item (g) of the above register shall be preserved in original by the license holder for a period not less than two years from the date of the sale.

(v) The daily balance of stock should be entered in the register.

16 POWER TO INSPECT POISONS AND REGISTERS

Any Executive Magistrate or a Police Officer of the rank of Sub-Inspector and above or a Medical Officer appointed by the Government of NCT of Delhi or an Inspector appointed under Section 21 of the Drugs and Cosmetics Act, 1940 (Central Act 23 of 1940) may at any time visit and inspect the premises of the license holder where any poison is kept for sale and may inspect all poisons found therein and the registers being maintained by the license holder. Also, periodical inspection of such premises/records be carried out by the concerned division officer once every month and every 45 days by the SHO. Similarly, the ACP/SDPO shall also inspect by surprise from time to time. In case of any non-compliance/violations of rules, based upon the report of local police, which should be forwarded by DCsP/Addl. DCsP, the Licensing Authority may initiate due action against the License holder. The Licensing Authority may also ensure that designated officer(s) of Licensing Branch shall carry out inspection of such premises/records etc. in every month and based upon his/her report, the Licensing Authority may initiate due action against the license holder, if any violation is noticed.

17 DISPOSAL OF STOCK ON TERMINATION, REVOCATION OR CANCELLATION OF LICENSE

In the event of revocation or cancellation under Rule 8 of the Notification or in the event of the termination of license under

Rule 9, of the Notification, the stock of poison may be sold to any other license holder within a period of three months from the date of such termination, revocation or cancellation of the license, after which the remaining poison may be destroyed under the orders of licensing authority. In case referred to in Rule 9 of the Notification the proceeds of the sale, if any, shall be made over to the legal representative of the deceased license holder or his transferee or, liquidator of the dissolved firm or company of the transferee of the firm or company, as the case may be.

18 DISCRETION OF LICENSING AUTHORITY

A license may be cancelled or revoked at any time. The grant/renewal/cancellation/revocation of a license shall be at the discretion of the Licensing Authority.

Provided that the Licensing Authority shall give an opportunity to the party concerned to show cause, if any, against the action proposed to be taken and shall record in writing the reasons for refusing to grant or renew a license or for cancelling or revoking a license.

19 TERMINATION OF LICENSE

A license shall be terminated on the death of the license holder or on the transfer of his business or if granted to a firm or company, on the dissolution or winding up or the transfer of the business of such firm or company;

Provided that, if the business carried on by the licensee as such of the firm or company is transferred as a going concern and the transferee applies for a fresh license, with court fee stamp of hundred rupees, within fourteen days of the date of transfer, the subsisting license shall continue to be in force until a new license has been granted to the transferee or the application of transferee for fresh license is rejected by the Licensing Authority.

20 PROVISION FOR APPEAL

(i) An appeal against an order of the Licensing Authority refusing to grant or renew a license or suspending or revoking a license or varying the condition of a license shall lie with the Lt. Governor of NCT of Delhi.

(ii) Every appeal referred to in sub-rule (1) of Rule 19 of Notification shall be preferred in accordance with the provisions of the Act and shall be presented within thirty days of the date of communication of such order.

(iii) Every appeal shall be accompanied by a court fee stamp of rupees five hundred.

21 EXPLOSIVE SECTION OF LICENSING BRANCH

The Explosive Section within the Licensing Branch, Delhi shall be headed by an Inspector under the supervision of an Assistant Commissioner of Police. One Sub-Inspector shall be in-charge of the section who shall report to the Inspector of Explosive Section and will be assisted by File Processing Officers.

The File Processing Officer shall maintain the following registers:

(i) Dak Register

(ii) File Movement Register

(iii) Master Register:

Master Register will have three parts, first one for Government Department/Government Organization, second one for Schools /Colleges / Educational Institutions and third one will be for Private Sectors/Industries/ Business etc.

All these registers shall be Inspected and signed on daily basis by the in-charge of the section, once a week by the Inspector and fortnightly by Assistant Commissioner of Police Concerned.

Each master register shall be divided District wise indicating Police Station under which jurisdiction place for license falls. In this regard, an index shall be prepared at the beginning of the Register. A Certificate regarding total no. of pages of the Master Register shall be issued by the Inspector Explosive Section. Proforma of Master Register is annexed at **Annexure-VII**.

The master register shall simultaneously be maintained in similar format in the data base of Licensing Unit by the Explosive Section.

All the applicants visiting Licensing Unit seeking grant of license for Poisons/Acids/Corrosives or allied services shall meet with the Public Relation Officer in the Licensing Unit who shall facilitate them. The Assistant Commissioner of Police and Inspector shall ensure that the applications are processed on first come and first serve basis. Every file that is put up upto the Assistant Commissioner of Police for processing should contain noting by the File Processing Officer on the chronological positions of the case being processed, and if there is any case pending before the case being processed, the reasons for the pendency should be clearly indicated.

All the written communication shall be sent to the applicant/licensee directly by the speed post and email.

The quantity of Poisons/Acids to be determined for each case to be considered for license will be assessed/decided separately as per discretions of Licensing Authority and the requirement of the applicant.

22 PUBLIC FACILITATION

All application forms along with the check list of required documents shall be readily available free of cost with Public Relation Officer of Licensing Unit or on the website of Licensing Unit i.e www.delhipolicelicensing.gov.in. The Public Relation Officer well acquainted with the procedures of each section shall be available at reception area to facilitate the visitors/applicant during the public visiting hours. The PRO at the desk shall maintain a visitor register as per format given in **Annexure-VIII.** This register will be signed and checked by the supervisory Inspector once a week and by the ACP once a month:-

(i) The visitors shall be entertained at receptions area by the Public Relation Officer who is well connected with all the officials of Licensing Unit and has good communication skills & knowledge about functioning of each section of Licensing Unit. Any applicant willing to meet Inspector/ACP Explosive shall be allowed only through 'Swagtam' Visitor Management System.

(ii) It shall be the responsibility of Inspector Explosive to ensure that the File Processing Officers put up all the FRs to ACP/Explosives on time every day. These shall then be

marked through the Inspector Explosive to the File Processing Officer.

23 MONITORING OF PENDENCY

A monthly report shall be submitted by the File Processing Officer to the Inspector/Explosive who shall then submit the same to the ACP/Explosive. A consolidated report shall then be submitted to the DCP/Licensing at the end of each week through a 'Weekly Diary' as per the format given at **Annexure-IX** by the Explosive Section.

24 MAINTAINING RECORD AT POLICE STATION LEVEL

All SHOs should ensure that list of licenses issued under the Poisons Act, 1919 is updated in Part-V of Register No. XVII (Register of License) maintained at the Police Stations and inspections are to be done to ensure compliance of these rules.

25 SUPERSESSION CLAUSE

This Standing Order supersedes the previous Standing Order No.202/2019 issued vide No.1501-1650/Record Branch/PHQ dated 09.07.2019.

26 DISCLAIMER

It is made clear that this Standing Order is exclusively for internal smooth functioning of Police Department.

Rakesh Asthana

(RAKESH ASTHANA)
COMMISSIONER OF POLICE:
DELHI.

29.04.22

No. 20801-20950 /Record Branch/PHQ dated Delhi, the 29/04/2022

Copy forwarded to:-

1. All Special Commissioners of Police, Delhi.
2. All Joint Commissioners of Police, Delhi including Jt. Director, Delhi Police Academy, Delhi/New Delhi.
3. All Additional Commissioners of Police, Delhi.
4. OSD to C.P., Delhi.

5. All Deputy Commissioners of Police, Districts/Units including PHQ, C.P. Sectt., FRRO and Deputy Director/Delhi Police Academy, Delhi/New Delhi.
6. DCP/HQ(IV)/PHQ with the direction to upload the Standing Order on Intra-DP.
7. LA to CP and FA to C.P., Delhi.
8. All ACsP/Insprs./PHQ.
9. PS/Reader to C.P., Delhi.
10. HAR/PHQ.
11. Librarian/PHQ.

ANNEXURE-I

FORM A

(See Rule 4 of Notification)

License for possession and sale of poisons

Photograph of License holder/ authorized representative

Register No.

Name of Licensee

Locality of Shop

Shri _____son of Shri _____

Carrying on business as _____ in the _____

(name of Local body) under _____ Police Station, of

_____ District, is hereby licensed to possess for sale by retail and to sell by retail the following poisons namely:-

1_____

2_____

3._____

4_____

5._____

This license is subject to the conditions specified on reverse, the breach of any of which shall involve forfeiture of the license as well as liability to the penalties provided by Section 6 of the Poisons Act, 1919.

This license will remain in force from the date of grant for a period of five years unless previously terminated by the death of the license holder or cancelled by the Licensing Authority concerned.

Seal and Signature of Licensing Authority

CONDITIONS

1. Subject to the provisions of rule 5(1) and 8, a license granted or renewed on any day shall remain in force for a period of five years. Every applicant for the grant or renewal of a license shall make a written application to the Licensing Authority and such application shall bear a Court fee stamp of hundred rupees.

2. A license shall terminate on the death of the license-holder or if granted to a firm or company on the winding up or transfer of the business of such firm or company.

3. The Licensing Authority may for any sufficient cause revoke or cancel any license.

4. The prescribed SOP should be displayed at a prominent place in the business premises and followed.

ANNEXURE-II

FORM B

(See rule 6 of Notification)

Application for Grant/Renewal of License for possession and sale of Poisons

1. Name of the Applicant/firm:

2. Age of the Applicant:

3. Office and Residence Address:

4. License No. and copy of License:(Applicable for renewal applications)

5. Documents regarding constitution of the applicant firm including nomination of the authorized representative:

6. Full address of the place of business or shop or of storage for which a license is applied for, number of flats and the name of the building with house number and the street or the road where it is situated.

7. Copy plan of the premises.

8. Documents pertaining to the right of possession of the Premises.

9. Name of the poison proposed to be sold:

(Applicant should furnish three copies of self-attested photographs along with the application).

To be accompanied with prescribed court fee of rupees five hundred, in case of any change in the place of business of licensee or in case original license is lost or destroyed.

ANNEXURE-III

AFFIDAVIT

Affix self attested photo

(Specimen of affidavit to be submitted by applicants on non-judicial stamp paper of worth Rs. 10/- duly attested by a Notary Public for the grant of Poisons/Acid/Corrosive products license)

I _____Son/Daughter/Wife of _____presently residing at _____ since _____ on behalf of M/s __ _____ (if any firm/company is applying) do solemnly affirm and declare as follows:

1. That my date of birth is _____) (Attach copy of proof).

2. That I am serving in M/s_____ _____ (in case of employee/authorized signatory on behalf of any firm/company).

3. That I/we permanent resident/office of M/s at_____ _____

4. That I/we have applied for the storage of Poisons/Acid/Corrosive product (give details at _____.

5. That I am/was not involved in any criminal case.

6. That I/we have never been externed from my place of stay by any judicial authority and neither am I a proclaimed offender of any state Govt. or of Delhi Police, and to the best of my knowledge there is no Red Corner Notice or any other Look Out notice pending against me.

7. That I/we have also no proceedings/cases instituted against me in the CBI, NCB, Enforcement Directorate, Directorate of Revenue Intelligence, Income Tax and Forest Department pending against me.

8. That I/we have also not been arrested, deported or involved in any illegal act in any other country where I have visited or resided.

9. That I/we have any/no permanent/temporary Poisons/Acid/Corrosive license issued from any state in India. If yes give details and attached documents in this regard.

10. That I/we have applied for Poisons/Acid/Corrosive product license previously_____ times. (If yes enclosed copy of earlier license issued in favor of the applicant or the proposed premises.)

11. That I/we have submitted following documents for grant of License for Possessions and Sale of Poisons/Acids on Form-B as provided in "The Delhi Poisons Possession and Sale Rules, 2015" to the Licensing Branch(i.e. Joint/Addl. Commissioner of Police, Licensing Unit, Delhi Police):-

- Request letter/Application of the applicant with full detail of the Quantity and purpose of Poisons for which License is to be applied.
- Land ownership proof/property documents of premises/Sale deed/lease deed/allotment deed duly signed by the applicant (6 copies)
- Rent agreement/NOC from land lord, in case of tenant.
- Site plan/ key plan attested by an authorized architect of the proposed site duly verified by the applicant (6 Copies)
- In case applicant is an employee/representative of any firm/company, an authority letter in favour of applicant or signing authority/person issued by the firm/company.

12. That I/we will follow the conditions, which may be imposed, by the Chief Fire Officer or any other authority from time to time will have to be observed strictly.

13. That I/we will do nothing in contravention to the conditions as laid down in Notification No.1028 dated 27 Sep. 2005 issued by DDA.

14. That I/we shall do nothing in contravention of Poisons Act, 1919 and The Delhi Poisons Possession and Sale rules, 2015.

15. That I/we shall not allow any susceptible trade within the licensed premises.

16. That I/we will install minimum two Mechanical Foam Fire Extinguishers of 9 litres capacity each duly having ISI certification mark/minimum _____Nos of Dry Chemical Powder (DCP) and six buckets filled with dry loose sand and maintain in good working order or as per directions issued by the various authorities.

17. That I/we will install minimum one Co2 fire extinguisher of at least 4.5 kg capacity duly ISI marked to combat any electrical fire risk or as per directions issued by the various authorities.

18. That I/we will undertake that the workers/ employees at the site must be taught the correct method of operation and maintenance of record of the fire extinguishers be maintained and entry to the area should be restricted for others.

19. That I/we will not allow overhead electric wires/ cables and loose/naked wiring across the licensed premises in contravention of Indian Electricity Rules.

20. That I/we will undertake that no trade other than the applied trade be done in the premises.

21. That I/we will undertake that no obstruction to the smooth flow of traffic/ other road users and the visitors will park their vehicles in the parking and follow all the rules and regulations for safe and smooth flow of traffic.

DEPONENT

ANNEXURE-IV

Standard Format Of Medical Certificate

This is Certify that I have carefully examined the person whose particulars are furnished below:-

S.No.	Details	
1.	Name of the person examined	
2.	Father's Name/Spouse Name	
3.	Residential address	
4.	Age and date of birth	
5.	Height	
6.	Weight(in Kgs.)	
7.	Blood pressure(please specified)	
8.	Any other observation	

On the basis of examination, it is certified that the person examined as mentioned in column 1 above:-

1. has been found to be stable mental condition and not inclined to violence.

2. has been found not dependent on any substance which has an intoxicating or narcotic effect.

Signature of the person examined *named in column 1*.....

Signature of medical practitioner.....

Registration Number.....

ANNEXURE-V

INSPECTION CHART FOR GRANT OF LICENSE FOR POISONS/ ACID/CORROSIVE

S.No.	Details	Remarks	
1.	Nature of site viz Shop /Laboratory/ Educational Institute/Industry/ Business establishment etc.		
2.	Quantity of Poisons/Acid/corrosive		
3.	Purpose or Usage of Poisons/ Acid/ corrosive		
4.	No's of containers, tanks etc.		
5.	Safety measures taken by the applicant/Licensee for storage of Poisons/Acid/corrosive		
6.	Layout of proposed site		
7.	Whether the site is as per the schematic submitted by the applicant		
8.	Photographs of proposed site from various angles/directions		
9.	Whether any high tension power wire/electric power wire is above the site		
10.	NOC from Fire Department	Yes	No
11.	NOC of DCP/Traffic	Yes	No
12.	NOC of Local Police	Yes	No
13.	NOC of Electric Department GNCT, Delhi	Yes	No
14.	Whether fire tender can reach at the site easily.		
15.	Remarks, if any		

Signature of the Inspecting Officer

ANNEXURE-VI

PROFORMA FOR REGISTER OF SALE OF POISONS

S. No.	Name of Poison	Quantity Sold	Date Of Sale	Name and Address of the purchaser, Serial number of Photo identity card produced and the name of the issuing authority	Purpose for which the poison was stated by the purchaser to be required	Signature of purchaser (or thumb impression, if illiterate), or in the case of purchase by post date on which the letter was written and reference to the original in the file in which it is preserved	Signature of a person identifying the purchaser if any(or thumb impression, if illiterate)	Signature of Dealer

ANNEXURE-VII

PROFORMA OF MASTER REGISTER

S. No	License No with date of issue and valid upto	Name and Address of the Licensee including Directors/ Partners etc.	Name and Address of the Institute/ Company/Firm/ Govt. Organization/ Schools/ Colleges/ Business Establishment	Quantity and Name of the Poisons allowed	Name of the Police Station and Distt. under which jurisdiction premises of Poison situated	Purpose of License	Remarks

ANNEXURE-VIII

VISITOR REGISTER AT PUBLIC RELATION OFFICER (PRO) DESK LICENSINGBRANCH

Sl. NO.	Name & Address	Purpose of visit	Nature of guidance given	Time of Arrival/ Departure	Tel.No.	Signature	Remarks
1	2	3	4	5	6	7	8

ANNEXURE- IX

WEEKLY DIARY: POISONS/ACID LICENSES

Sl. No.	Type of Licensee	Pendency at the beginning of week	Fresh added at the beginning of week	Disposal i.e. sent to local Police, fire, traffic etc.	Total No. License issued/ disposed	Pendency at the end of week	Pendency of RTI
1.	Government Department, Government Organization						
2.	School/ College/ Educational Institute						
3.	Private Sector, Industries and Business						