

**The Uttarakhand Cannabis (Medical and Scientific Purposes)
and Industrial Hemp Cultivation, Processing and Product
Manufacturing Rules 2023**

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**Agriculture and Farmers Welfare Department,
Uttarakhand Government**

In pursuance of the provision of clause (3) of Article 348 of “Constitution of India”, the Governor is pleased to order the publication of the following English translation of notification No..... dated..... for general information

Government of Uttarakhand
Department of Agriculture and Farmers Welfare, Section-3

No. _____ Dated:

NOTIFICATION

Miscellaneous

In exercise of the power conferred by section 10 read with section 8 and 14 of the Narcotic Drugs and Psychotropic Substances Act, 1985, and in supersession of all existing orders in this behalf, the Governor is pleased to make the following rules for the cultivation, processing/extraction and product manufacturing of Cannabis and Industrial Hemp for medical and scientific purposes, namely:-

The Uttarakhand Cannabis (Medical and Scientific Purposes) and Industrial Hemp Cultivation, Processing and Product Manufacturing Rules 2023

Part 1

] Title and Definitions

- 1. Title, extent and commencement**
- (1) These rules may be called the Uttarakhand Cannabis (Medical and Scientific Purposes) and Industrial Hemp Cultivation, Processing and Product Manufacturing Rules 2023.
- (2) These rules shall extend to the whole of State of Uttarakhand.

Provided that, prior to the commencement of these rules, the license issued shall be deemed to have been granted under these rules and shall be subject to such terms and other conditions as may be framed under these rules.

- 2. Definitions**
- (3) These rules shall come into force at once.
- Unless there is anything repugnant in the subject or context in these rules:-

- (1) ‘Act’ means ‘Narcotic Drugs and Psychotropic Substances Act, 1985’
- (2) ‘Cannabis plant’ means ‘any plant of the cannabis genus/ species.
- (3) ‘Designated area’ means such secured area wherein the licensee can perform any one or all of the activities related to cultivation, extraction, processing, product manufacturing, store house, drying/curing/packaging/waste disposal area etc. for scientific and commercial use of the Medical

Cannabis and Industrial Hemp.

- (4) District level "Nodal Officer" means the District Excise Officer.
- (5) "Dried botanical material" means the plant of the Medical Cannabis/ Industrial Hemp or any of its part which has been dried after harvest;
- (6) 'Excise Commissioner' means the officer appointed by the State Government under clause (a) of subsection 2 of section 10 of the United Provinces Excise Act, 1910.
- (7) 'Essential Narcotic Drug' means any narcotic drug notified by the Central Government for the Medical and Scientific Purposes, which can be used for drug manufacturing;
- (8) "Green botanical material" means the plant of the Medical Cannabis/ Industrial Hemp or any of its part which has been cut afresh;
- (9) 'Hemp and Cannabis Cell' means the 'Hemp and Cannabis Cell' established by the State Government at the Centre for Aromatic Plants, Selaqui, Dehradun.
- (10) 'Horticulture purposes' means the main nutrients used for nutraceuticals, medicine, aromatic produce and important aesthetic values for human beings.
- (11) 'Industrial Hemp' means the cultivation of any Cannabis plant for industrial purpose only of obtaining fiber or seed or for horticulture purpose, such horticultural produce containing delta-9-tetrahydrocannabinol (THC) not more than 0.3 percent on dry weight basis,
- (12) 'Laboratory' means a facility equipped with sophisticated instruments i.e. HPLC, LC-MS, GC-MS, ICP-MS, IR etc. in which scientific or technological research experiments and measurement may be performed.
- (13) "Leaves" means the leaves of the Industrial Hemp (other than the flowering and fruiting heads/ tops)
- (14) "License" means the license granted under the relevant provisions of these Rules.
- (15) "Licensee" means such person who has been issued the license for the cultivation / extraction / processing of the Medical Cannabis/ Industrial Hemp for medical, scientific or industrial purposes by the licencing authority.

- (16) 'Licensing Officer' means 'Excise Commissioner'.
- (17) 'Medical Cannabis' means any Cannabis essence or tincture, primary, secondary, tertiary medicinal derivatives.
- (18) "Medical Purposes" means the cultivation, processing/ extraction and product manufacturing of Cannabis, wherein there shall be no limit of the THC.
- (19) Nodal Department means "Uttarakhand Excise Department".
- (20) "Scientific Purposes" means cultivation, processing/ extraction, product manufacturing, survey, collection and testing etc. of Cannabis or Industrial Hemp for research and development by scientific agencies after obtaining licence from licensing authority.
- (21) "Seed" means the seeds to be used in the cultivation of the Medical Cannabis/ Industrial Hemp.
- (22) "State Government" means the Government of Uttarakhand.
- (23) "Store house" means a secured area for permitted products (green herb, Medical Cannabis, various parts of industrial hemp) and for processing/extraction, which is under the control of the Excise Department.
- (24) 'THC (delta-9-tetrahydrocannabinol)' means chemical constituent which is obtained from the Cannabis plant.
- (25) "Transportation Pass" means the pass to be issued by the Excise Department for the transportation of the manufactured products under these rules.

PART II

Cultivation, processing /extraction and the Product Manufacturing of Cannabis for the Medical and Scientific Purposes

3. Cultivation of the Cannabis for the Medical Purposes

- (1) In case of a single ownership, the citizen of India, farmer, farming group, self-help group, farmer producer organisation (FPO), farmer producer company (FPC), commercial undertaking, Non-Government organization, cooperative institutions, etc. can obtain the license for the cultivation, storage, processing, extraction and Product

Manufacturing of Cannabis for the Medical Purposes.

- (2) Foreign Direct Investment (FDI) related laws, rules and guidelines issued by the Government of India shall be followed if the Farmer Producer Organization (FPO), Farmer Producer Company (FPC), commercial enterprise, self-help organization, cooperative institutions enter into partnership agreements with foreign companies.
- (3) For the industrial activity of Medical Cannabis such as processing / extraction or product manufacturing etc., the licencing requirement under the Drugs and Cosmetic Act 1940 and rules made their under be applicable in addition in compliance with a enactments made the state government or central government from time to time shall be complied with. For this, industrial unit can be established in any district of the state.

4. Eligibilities for the Seed and Planting material for the cultivation of the Cannabis for Medical and Scientific Purposes

- (1) The licensee can use the local seed /planting material for the cultivation of the Cannabis for the Medical and Scientific Purposes.
- (2) In case of imported seed/planting material, the Phyto-sanitary certificate verified by National Plant Protection Organization of exporting country should be enclosed, where the source of seed/plant material and free from insects and diseases is mentioned and all the guidelines issued by Indian government are followed.

5. State Level Committee for taking decisions regarding evaluation and monitoring, amendment, determination of fees and security money etc.

The State Level Committee shall be constituted as follows for taking decisions regarding evaluation and monitoring, amendment, determination of fees and security money etc., of Cannabis for medical and scientific purpose:-

Sr. No.	Designation	Post
1.	Secretary, Excise, Government of Uttarakhand	Chairman
2.	Secretary, Agriculture and Farmers Welfare, Government of Uttarakhand	Member
3.	Director, Department of Horticulture, Uttarakhand	Member
4.	Director, Centre for Aromatic Plants, Selaqui, Dehradun	Member
5.	Drug Controller, Food Safety and Drug Administration	Member
6.	Drug Controller, Ayurvedic and	Member

	Unani Services, Uttarakhand	
7.	Excise Commissioner, Uttarakhand, Dehradun	Member Secretary

6. Procedure to obtain License for Medical Cannabis

- (1) For cultivation, processing/extraction and product manufacturing of Medical Cannabis, applicant shall apply to the office of the Excise Commissioner on the prescribed proforma, along with necessary documents and prescribed fee. The Excise Commissioner shall send the documents for verification and on-the-spot inspection to the committee constituted under the chairmanship of the District Magistrate under Rule-7. The recommendation shall be sent by the said committee to the Licensing Authority within 30 days, on the basis of which the license shall be issued by the Excise Commissioner.
- (2) A copy of the detailed project report (DPR) for processing/extraction and product manufacturing of Medical Cannabis shall be sent to Centre for Aromatic Plants, Selaqui, Dehradun for technical examination. The recommendation shall be sent by the said institution to the License Officer within 30 days, on the basis of which the license shall be issued by the Excise Commissioner.
- (3) The cultivation of Medical Cannabis outside the designated area shall be punishable as provided under the Narcotic Drugs and Psychotropic Substances Act, 1985.
- (4) During the license period, the Excise Commissioner shall have the right to suspend or terminate the license in any condition in accordance with any rule or law promulgated in this regard by the State or Government of India.
- (5) For the license regarding cultivation of Medical Cannabis, the details of GPS coordinates/ geo-tagging, Khasra, Khatauni and map etc. of the designated area should be enclosed along with the application form.
- (6) The license shall be non-transferable.
- (7) The licensee shall install the sign board in the designated area as per the format.
- (8) The license may be issued at any time in the calendar year, the validity period of which shall be

for five years or any part thereof. It shall be mandatory to issue the permission within a period of three months from the date of receipt of the application or the applicant shall be informed along with the reasons for rejection of the application.

provided that if it is not possible to grant license in aforesaid period, the extension of one month can be taken by the licensing authority by recording reasons before expiry of three months aforesaid and such decisions shall be informed to state government and applicant.

7. Recommendation Committee for Medical Cannabis

The following committee shall be constituted for recommendation of cultivation, processing/ extraction and product manufacturing of Medical Cannabis under the chairmanship of concerned District Magistrate:-

Sr. No.	Designation	Post
1.	District Magistrate	Chairman
2.	Chief / District Horticulture Officer	Member
3.	District Industries Officer	Member
4.	Senior Drug Inspector/ Drug Inspector, FDA	Member
5.	District Ayurvedic and Unani Officer	Member
6.	District Excise Officer	Member Secretary

8. Eligibility criteria for obtaining the license for cultivation of Medical Cannabis

- (1) Only those persons and commercial establishments can apply for the cultivation, processing /extraction of Medical Cannabis who are land owner/ lease holder or the land taken on lease under Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950 (as applicable in the state of Uttarakhand) or as per the prevailing policy of the State Government. In the case of land taken on lease, the lease holder shall have to obtain the No Objection Certificate (NOC) on affidavit from the land owner.
- (2) In the declaration, the applicant or the board of directors of the company, institution or co-operative society shall have to declare on an affidavit that he has never been convicted under the Narcotic Drugs and Psychotropic Substances Act, 1985 or in any other offense.
- (3) It is mandatory for the Medical Cannabis

processing/extraction and product manufacturer company to have a NABL accredited laboratory at the time of application or to set up a NABL accredited laboratory within six months after obtaining the license or to arrange the testing of chemical components from the laboratory approved under Drugs and Cosmetic Acts, 1940 or Narcotics and Drugs Psychotropic Substances Act 1985 or accredited with National Accreditation Board for Testing and Calibration Laboratories (NABL).

9. Eligibility criteria for obtaining the license for cultivation of Medical Cannabis for scientific purposes

- (1) Reputed institutions established by law engaged in the said activities, having subject experts and necessary infrastructural facilities for scientific purposes shall be eligible to apply for license.
- (2) Under special circumstances, the Excise Commissioner, Uttarakhand shall grant permission to take samples of green and dry herbal material or extracted material of Medical Cannabis for research works outside the State; And within the State, the competent authority of the licensee R&D institute shall authorized representative to carry samples, whose information shall also be given to the Excise Commissioner.
- (3) The applicant institution shall have to declare on an affidavit that the institution or any member of its Board of Directors has never been convicted under the Narcotic Drugs and Psychotropic Substances Act, 1985 or in any other offense.

10. Fixation of fee and security money for cultivation, processing/ extraction, product manufacturing of Medical Cannabis for scientific purposes

For Medical and Scientific purposes, the Committee constituted under rule 5 at the state level shall determine fee and security money from time to time for licensing Cannabis cultivation, processing/ extraction and product manufacturing.

11. Procedure for obtaining license for Medical Cannabis for scientific purposes

- (1) For scientific purpose, the reputed institutions established by law shall apply on the prescribed format with fee and research proposal in the office of the Excise Commissioner.
- (2) Under special circumstances, research activity can

also be carried out by the licensee in other campuses under the control of the institute.

Provided that, separate permission shall have to be obtained from the Excise Commissioner, Uttarakhand, the information in this regard shall be given to the Nodal Officer/District Magistrate of the concerned districts /Centre for Aromatic Plants, Selaqui.

- (3) The license can be issued at any time in the calendar year which shall be valid for five years or any part thereof. It shall be mandatory to issue licence within a period of three months from the date of receipt of the application or the applicant shall be informed along with the reasons for rejection of the application.
- (4) The concerned licensee shall be responsible for the overall security of the polyhouse, indoor protected cultivation area or Green House Cultivation area, open field and store house for scientific purposes.

12. Enforcement and inspection of Cannabis for Medical and Scientific purposes

- (1) Enforcement and inspection shall be conducted by the authorized officers. The District Magistrate or the officer nominated by him and the district level nodal officer of the Excise Department shall inspect the Cannabis fields, processing/extraction unit, product manufacturing site for Medical and Scientific purposes as per requirement. The inspection report shall be submitted before the State Level Committee constituted under rule 5 through the Excise Commissioner. The licensee shall nominate an authorized representative in his area, who shall coordinate with the nodal officer of the Excise Department for all activities related to cultivation, processing/extraction and product manufacturing of Cannabis for Medical and Scientific Purposes.
- (2) The records of cultivation, processing/ extraction, product manufacturing, video and security camera recordings, log books, other evidences and weight of green and dry plant material shall be inspected any time by the District Excise Officer/Nodal Officer of the district for Medical and Scientific Purposes.

the records mentioned above including videos

and security camera shall always up to date and shall be functional at all the time.

- (3) Unauthorized cultivation of Cannabis for Medical and Scientific Purposes or collection of any plant material of Cannabis brought out of the measured land specified in license or collection of any other component or any other use shall be punishable under relevant sections of 'Narcotic Drugs and Psychotropic Substances Act, 1985'. In these circumstances, the material produced shall be destroyed in the presence of the nominated nodal officer at the district level.
- (4) Commercial activity/ consumption of any part of the green plant material of Cannabis as a narcotic substance shall be prohibited. In any such circumstances, the concerned license officer can cancel the license with immediate effect and action shall be taken against the guilty licensee according to the relevant sections of the 'Narcotic Drugs and Psychotropic Substances Act, 1985'.
- (5) The harvesting of the matured Medical Cannabis crop cultivated for Medical Purpose shall be done in the presence of the Inspector of the Excise Department. The quantity obtained from this harvesting shall be entered in the logbook.
- (6) The Drug Controller-FDA/Drug Controller, Ayurvedic and Unani Services/Director, Centre for Aromatic Plants, Selaqui or his nominated representative from time to time shall study all the scientific/technical activities related to Cannabis cultivation, processing/ extraction and product manufacturing for Medical and Scientific purposes.

13. Area designated for cultivation of Cannabis for Medical and Scientific Purposes

Cultivation of Cannabis for Medical and Scientific Purposes shall be done in Poly House, Indoor protected cultivation area as well as in open field in complete safe environment as per norms prescribed by Excise Department including wire fencing and CCTV monitoring. It shall be mandatory to enter the information of persons entering from the main gate in the register. Unauthorized entry shall be prohibited and in case of violation the action for cancellation of license. The action against the concerned licensee and trespassers shall be taken

under the relevant section of Narcotic Drugs and Psychotropic Substances Act, 1985.

14. Harvesting and Post-Harvest Management of Medical Cannabis plants

- (1) The licensee shall carry out daily video recording of the entire process of harvesting of the green botanical material during the course of harvesting of the crop for medical purposes and the quantity shall be entered in the register in the prescribed format. It shall be mandatory for the licensee to inform the concerned Licensing Officer and the Nodal Officer of the district in writing at least fifteen days prior to the harvesting of the crop. It shall be necessary to retain these documents for twenty years. Self attested copies of all documents and scan copy of all records in digital form related to the harvesting and the post-harvest management by licensee and countersigned by Nodal Officer of the district shall be retained in the office of District Excise Officer.
- (2) After harvesting the crop of Medical Cannabis, the residues of the plants shall be destroyed in the presence of the nominated nodal officer at the district level.
- (3) For drying and curing of Cannabis for medical purposes, the storing shall be done at the designated area or at the nearest distance of one kilometer from the road head.
- (4) The licensee manufacturer of the Medical Cannabis shall sell and deliver its products only to the licensee processor/ extractor/ product manufacturer of Uttarakhand state in the presence of the nominated Nodal Officer. The processor/ extractor/ producer licensee shall bring the purchased products to the designated storage areas under the supervision of the Nodal Officer and separate each part of Cannabis such as main stem, branches, leaves and fruiting and flowering tops etc. After weighing each part separately, the same shall be entered in the register on prescribed format. The reduction in the weight of the separated parts shall be recorded with reasons/ justification thereof.
- (5) The licensee processors/ extractors shall sell their products to any national or international product manufacturer in accordance with the Narcotic

Drugs and Psychotropic Substances Act, 1985 and under the norms prescribed by the Government of India from time to time.

- (6) The flower and leaves (attached to the flowers) shall be kept in the designated place for drying and curing. The drying and curing room shall be double-locked in the presence of the Nodal Officer.
- (7) After the completion of the process of drying and curing Cannabis grower(s)/ processor(s)/ extractor(s), and product manufacturer(s) shall give information about opening of the room to the Nodal Officer nominated for the concerned District and the obtained dried plant material shall be weighed and recorded in register in the prescribed format. After drying and curing, self-attested copy of register with separate justification for reduction in weight of each part shall be sent to the Excise Commissioner and the nodal officer of the concerned district.
- (8) In case of natural calamities like landslides, earthquakes, floods, heavy rains etc., licensee Medical Cannabis grower, processor/extractor or product manufacturer shall submit an alternate disaster management action plan of the storehouse along with the application, which shall be inspected by the concerned nodal officer in time. In case of disaster, it shall be mandatory for the licensee to inform the concerned nodal officer within 24 hours, so that further action could be taken under the inspection and direction of concerned Nodal Officer.

**15. Distribution,
dispatch and transport
of Medical Cannabis**

- (1) Licensee Cannabis producer or his nominated person shall hand over green or dry plant material or extracted/processed product to licensee processor(s)/extractor(s) or product manufacturer(s) (as per the agreement between producer and processor/extractor and product manufacturer) in the presence of the Nodal Officer of the concerned District. The Nodal Officer shall countersign the receipt.
- (2) The Nodal Officer of the District shall issue the pass in triplicate in the prescribed format, for transferring the products from one place to another

as mentioned in rule 14(4). Only GPS equipped vehicle shall be used for the transportation of the products and it shall be mandatory to inform the Nodal Officer or the Competent Authority of the destination place prior to departure of the vehicle. During the course of transportation, it shall be mandatory to carry the original copy of the Transportation Pass and the xerox copy of the production or processing/ extraction license in the vehicle.

- (3) The transportation pass issued by the Nodal Officer nominated at the District Level shall be valid only within the State. The transportation of the Medical Cannabis outside the State of Uttarakhand shall be governed as per the act/rules.
- (4) After the completion of the procedure of rule 14(4), the licensee shall weigh the remaining dried botanical material of Medical Cannabis after drying and curing and shall enter in the register in prescribed format and shall store the material in the Store house controlled by excise department and equipped with modern facilities in each district. It shall be mandatory for the licensee to get the botanical material insured.

16. The necessary instructions for the prohibited place and security for Medical Cannabis

- (1) The guidelines/rules issued by the Excise Department shall be followed in relation to the prohibited places referred in these rules.
- (2) The concerned licensee shall be responsible for the overall security of the polyhouse, open field and storehouse for storage of Medical Cannabis.
- (3) The guidelines so framed shall be published on the website of the department beside that be published in the state gazette.

PART III:

Cultivation, Processing/Extraction and Product Manufacturing of Industrial Hemp for Industrial and Scientific Purposes

17. Cultivation of Industrial Hemp

- (1) In case of single ownership, the citizen of India, farmer, farmer group, Self-help group (SHGs), Farmer Producer Organisation, Farmer Producer Company, Commercial undertaking, Non-Government Organization, cooperative institutions, etc. can obtain the license for cultivation, processing

/extraction and the product manufacturing of Industrial Hemp in which the content of THC is not more than 0.3 percent on dry weight basis in any of its part.

Provided that, for horticultural use of the leaves and straw of 'Industrial Hemp', FL-43 license have to be obtained from Excise Department.

Provided also that in addition to above, licence shall also be required under Drugs and Cosmetics Act 1940 and Food Safety and Standards Act, 2006 for processing, extracting and product manufacturing.

(2) If Farmer Producer Organisation, Farmer Producer Company, commercial undertaking, Self-help group (SHGs), cooperative institutions, etc. made agreement of partnership with the foreign companies, then the laws, rules and the guidelines issued by the Government of India in respect of Foreign Direct Investment shall have to be complied with.

18. Eligibility criteria for the seed/ planting material for the cultivation of Industrial Hemp

- (1) The licensee can use the local seed/planting material for the cultivation of the Industrial Hemp.
- (2) In case of imported seed/planting material, the Phyto-Sanitary Certificate verified/certified by the National Plant Protection Organisation of the importing country to be enclosed wherein the source of the seed/ planting material, free from insects and diseases is mentioned and the guidelines issued by the Government of India in respect of importing of seeds be complied with.

19. State Level Committee for taking decisions regarding evaluation and monitoring, amendment, fixation of fees and security money etc.

The following State Level Committee shall be constituted for the purpose of evaluation and monitoring, amendment, fixation of fees and security money etc. of Industrial hemp for Industrial and Scientific Purposes, as follows:-

Sr. No.	Designation	Post
1.	Secretary, Agriculture and Farmers Welfare, Government of Uttarakhand	Chairman
2.	Secretary, Excise, Government of Uttarakhand	Member
3.	Director, Department of	Member

	Horticulture, Uttarakhand, Dehradun	
4.	Director, Centre for Aromatic Plants, Selaqui, Dehradun	Member
5.	Drug Controller, Food Safety and Drug Administration	Member
6.	Drug Controller, Ayurvedic and Unani Services, Uttarakhand	Member
7.	Excise Commissioner, Uttarakhand, Dehradun	Member Secretary

20. Procedure to obtain License for Industrial Hemp

(1) The application on the prescribed format with fee and necessary documents for the cultivation, processing/extraction and product manufacturing of Industrial Hemp shall be submitted in the office of Excise commissioner and the same shall be referred to the committee constituted under rule 7 for verification and physical inspection. The committee shall send its recommendation within thirty days to the licencing officer. The excise commissioner shall issue the licence on the basis of recommendation.

(2) A license the Detailed Project Report (DPR) for processing/extraction and product manufacturing of Industrial Cannabis shall be sent to Centre for Aromatic Plants, Selaqui, Dehradun for technical examination. The said Institution shall send its recommendation within thirty days to the Licensing Officer. The excise commissioner shall issue the licence on the basis of recommendation.

(3) It shall be mandatory to issue licence within a period of three months from the date of receipt of the application or the applicant shall be informed along with the reasons with justification for rejection of the application.

Provided that if it is not possible to grant license in aforesaid period, the extension of one month can be taken by the licensing authority by recording reasons before expiry of three months aforesaid and such decisions shall be informed to state government and applicant.

(4) The cultivation of Industrial Hemp outside the designated area shall be punishable under the relevant sections of the Narcotic Drugs and Psychotropic Substances Act, 1985.

(5) During licensing period, violation of the Narcotic

Drugs and Psychotropic Substances Act, 1985 or the Drug and Cosmetics Act, 1940 or any other rules or law as framed by the State or Govt. of India in this regard, the Excise Commissioner can suspend or cancel the license at any time.

- (6) Before submitting an application for obtaining license for the cultivation of Industrial Hemp, it shall be mandatory for the applicant to enclose the GPS coordinate/ geo-tagging of the designated area and the khasra, khatauni, map, etc. of the land.
- (7) The license shall be non-transferable.
- (8) The licensee shall install the sign board in the designated area as per the prescribed format.
- (9) The license can be issued at any time in the calendar year which shall be valid for five years or any part thereof.
- (10) The cultivation of Industrial Hemp can be done in polyhouses, indoor protected cultivation areas as well as in open areas.

21. Eligibility criteria of license for the cultivation of Industrial Hemp

- (1) Only those persons and commercial institutes can apply for the cultivation, processing /extraction of Industrial Hemp who are land owner/ lease holder or the land taken on lease under Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950 (as applicable in the State of Uttarakhand) or as per the prevailing policy of the State Government. In the case of land taken on lease, the lease holder shall obtain the No Objection Certificate (NOC) on affidavit from the land owner.
- (2) The Applicant or Board of Directors of the Company, Institution or the Cooperative Institution shall have to declare on affidavit that the applicant or any member of the Board of Directors has never been convicted under the Narcotic Drugs and Psychotropic Substances Act, 1985 or in any other offense.

22. License for the scientific purposes of Industrial Hemp

License for the scientific purposes of Industrial Hemp shall be issued as per rules framed for scientific purposes of Medical Cannabis

23. Testing of THC in Industrial Hemp

- (1) The licensee shall inform the concerned District Magistrate, thirty days prior to the harvesting of the Industrial Hemp for the analysis of THC. The District Magistrate shall instruct the Nodal Officer

to collect the samples of the crop.

- (2) Recommended standard procedure shall be followed for collection of samples.
- (3) The samples shall be sent to the institute approved by the State Government for the analysis of the THC in Industrial Hemp. The District Magistrate shall ensure special procedure for the confidentiality of the THC testing process.
- (4) The Nodal Officer shall permit the Licensee to harvest Industrial Hemp, if the maximum prescribed quantity of THC in the crop is 0.3 percent.

Provided that, if the quantity of THC exceeds the prescribed limit, the District Magistrate shall grant permission to the applicant to make fibre from the stem and branch of the crop while remaining parts of the plant (flower, leaves and seeds, etc.) shall be destroyed in the presence of the District Excise Officer.

- (5) The expenses incurred for the analysis of THC in the samples of Industrial Hemp shall be deposited by the Licensee in the office of the District Nodal Officer. The Nodal officer shall pay the amount to the approved laboratory of the State Government for THC testing.
- (6) The authorised testing institute shall provide the report of the THC test to the District Magistrate of the concerned District within fifteen days from the receipt of the sample. The Nodal Officer nominated at the district level shall be responsible to provide this report to the licensee within twenty days after the collection of the sample.
- (7) The Director, Centre for Aromatic Plants or his nominated representative shall study all the scientific/technical activities of Cannabis cultivation, processing/ extraction and product manufacturing for Industrial hemp from time to time.

24. Distribution and dispatch of the Industrial Hemp

- (1) Any part of the plant, excluding flowering or fruiting tops of Industrial Hemp (excluding the seeds and leaves when not accompanied by the tops) can be used by licensee for Industrial and horticulture purposes.
- (2) The licensee producer of the Industrial Hemp shall

sell its products to the licensee processor/ extractor/ product manufacturer of the Uttarakhand state, and shall inform to nominated Nodal Officer on time. The licensee processor/ extractor/ product manufacturer shall bring the purchased products to the designated storage areas under the supervision of the Nodal Officer and separate each part of the Industrial Hemp such as main stem, branches, leaves etc. After weighing each part separately, the same shall be entered in the register on prescribed format. The reduction in the weight of the separated parts shall be recorded with justification thereof.

- (3) The processor/ extractor or the product manufacturer licensee shall provide the receipt to the Licensee Industrial Hemp producer as per the prescribed format at the time of receiving of the crop.
- (4) The Licensee Industrial Hemp producer, Processor/ Extractor or product manufacturer shall safely retain all the documents as per Rule 14(1).
- (5) The licensee processors/ extractor can sell its products to any of the National or International Product Manufacturers as per the Narcotic Drugs and Psychotropic Substances Act 1985 and rules and regulations framed by the Government of India from time to time.
- (6) The Nodal Officer of the District shall issue the pass in triplicate in the prescribed format for transporting the Industrial hemp products from one place to another place. Only GPS-installed vehicle shall be used for the transportation of the products and it shall be mandatory to inform the Nodal Officer of the destination place prior to the movement of the vehicle. It shall be mandatory to keep the original copy of transportation pass and photocopy of the license of processing/ extracting or manufacturing during the transportation of Industrial Hemp products.
- (7) The transportation pass on the prescribed format issued by the Nodal Officer nominated at the District Level shall be valid only within the State. Transportation of Industrial hemp alongwith certificate related to 0.3 percent THC shall be

governed as per the act/rules, outside the State of Uttarakhand.

25. Appeal

The applicant may file an appeal before the Secretary, Excise department, Government of Uttarakhand against the order of the Excise Commissioner in case of rejection of application for cultivation, processing, extraction or product manufacturing of cannabis (Medical and Scientific Purposes) and Industrial Hemp. The decision of the Secretary, Excise Department shall be final.

**PART IV:
Hemp & Cannabis Cell
and State Level Advisory Committee**

26. Industrial Hemp & Medical Cannabis Cell

The State Government shall establish 'Hemp & Cannabis Cell' at Centre for Aromatic Plants, Selaqui. The main objectives of this cell are research and development, survey, conservation, project evaluation and framing of policy for Cannabis and Industrial Hemp.

27. State Level Advisory Committee

An Advisory Committee shall be constituted at the State level for cultivation, processing and product manufacturing of Industrial Hemp and Cannabis (Medical and scientific purposes). The formation of the advisory committee shall be as follows: -

S. No.	Designation	Post
1.	Additional Chief Secretary/ Agriculture Production Commissioner, Government of Uttarakhand	Chairman
2.	Principal Secretary/Secretary, Agriculture and Farmers Welfare Department, Government of Uttarakhand	Member
3.	Principal Secretary/Secretary, Medical & Health Department, Government of Uttarakhand	Member
4.	Principal Secretary/Secretary, Excise Department, Government of Uttarakhand	Member
5.	Principal Secretary/Secretary, Industrial Development Department, Government of Uttarakhand	Member
6.	Principal Secretary/Secretary, Ayush Education Department, Government of Uttarakhand	Member
7.	Principal Secretary/Secretary, Medical Education Department, Government of Uttarakhand	Member
8.	Director, Horticulture and Food Processing, Uttarakhand	Member
9.	Director, Centre for Aromatic Plants,	Member

	Selaqui, Dehradun	
10	A representative nominated by the Vice Chancellor, Govind Ballabh Pant University of Agriculture and Technology, Pantnagar, Uttarakhand	Member
11.	A representative nominated by State Government from Licensee of Medical Cannabis/ Industrial Hemp	Member
12	Commissioner, Food Safety, Uttarakhand	Member
13	ADG (Incharge), Uttarakhand Anti Narcotics Task Force (ANTF)	Member
14	Excise Commissioner, Uttarakhand	Member Secretary

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