

CHAPTER III  
PROHIBITION AND REGULATION OF CHEMICAL WEAPONS  
AND TOXIC CHEMICALS

**13. Prohibition to develop, produce, acquire, etc., Chemical Weapons.—**  
(1) No person shall—

- (a) develop, produce, otherwise acquire, stockpile, retain or use Chemical Weapons or transfer, directly or indirectly, any Chemical Weapons to any person;
- (b) use riot control agents as a method of warfare;
- (c) engage in any military preparations to use Chemical Weapons;
- (d) assist, encourage or induce, in any manner, any person to engage in—
  - (i) the use of any riot control agent as a method of warfare;
  - (ii) any other activity prohibited to a State Party under the Convention.

(2) The prohibition contained in sub-section (1) shall not apply to the retention or possession of Chemical Weapons, which are permitted by the Convention, pending destruction of such Weapons.

**14. Knowledge about Old or Abandoned Chemical Weapons to be informed to National Authority.—**Any person having knowledge about the possession or location of Old Chemical Weapons or Abandoned Chemical Weapons shall inform the National Authority of such possession and the precise location of such Old Chemical Weapons or Abandoned Chemical Weapons within seven days from the commencement of this Act:

Provided that where the knowledge about the possession or location of Old Chemical Weapons or Abandoned Chemical Weapons is obtained after the commencement of this Act, an information about knowledge of such possession or location shall be given to the National Authority within seven days from the occurrence of such knowledge.

**15. Prohibition to develop, produce, acquire, etc., Toxic Chemical or Precursor.—**No person shall—

- (a) produce, acquire, retain or use toxic Chemicals or Precursors listed in Schedule 1 in the Annex on Chemicals to the Convention, outside the territories of States Parties, and shall not transfer such Chemicals or Precursors outside the territory of India except to another State Party;
- (b) produce, acquire, retain, transfer or use Toxic Chemicals or Precursors listed in Schedule 1 in the Annex on Chemicals to the Convention without permission from the National Authority and unless—
  - (i) the Toxic Chemicals or Precursors listed in Schedule 1 in the

Annex on Chemicals to the Convention are for the purposes to be applied to research, medical, pharmaceutical or protective purposes; and

(ii) the types of Toxic Chemicals or Precursors are strictly limited to those that can be justified with reference to the purposes specified in sub-clause (i) and the quantities of such Toxic Chemicals or Precursors for such purposes at any time do not exceed the limits fixed by the National Authority;

(c) transfer the Toxic Chemicals or Precursors listed in Schedule 1 in the Annex on Chemicals to the Convention to another State Party outside India except—

(i) for the purposes specified in sub-clause (i) of clause (b); and

(ii) in accordance with the procedure set out in Part VI of the Verification Annex to the Convention:

Provided that no Toxic Chemicals or Precursors referred to in clause (c) shall be re-transferred to any third State.

<sup>1</sup> **[16. Restriction on transfer of Toxic Chemical or Precursor listed in Schedule 2.**—No person shall transfer to, or receive from, a State which is not a party to the Convention or any person who is not a citizen of a State Party, any Toxic Chemical or Precursor listed in Schedule 2 in the Annex on Chemicals to the Convention.]

**17. Export or import to be made in accordance with Export and Import Policy.**—No person shall export from, or import into, India a Toxic Chemical or Precursor listed in any of the Schedules 1 to 3 in the Annex on Chemicals to the Convention except in accordance with the provisions of the Export and Import Policy determined by the Central Government from time to time under the Foreign Trade (Development and Regulation) Act, 1992 (22 of 1992) and the Orders issued thereunder.

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<sup>1</sup> Subs. by Act 36 of 2012, s. 3, for section 16 (w.e.f. 23-11-2012).