



Narcotic Drugs and Psychotropic Substances Act

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The Narcotic Drugs and Psychotropic Substances Bill, 1985 was introduced in the Lok Sabha on 23 August 1985. It was passed by both the Houses of Parliament and it was assented by the President on 16 September 1985. It came into force on 14 November 1985 as THE NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES ACT, 1985 (shortened to NDPS Act). Under the NDPS Act, it is illegal for a person to produce/manufacture/cultivate, possess, sell, purchase, transport, store, and/or consume any narcotic drug or psychotropic substance.

Under one of the provisions of the act, the Narcotics Control Bureau was set up with effect from March 1986. The Act is designed to fulfill India's treaty obligations under the Single Convention on Narcotic Drugs, Convention on Psychotropic Substances, and United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances. The Act has been amended three times - in 1988, 2001, and most recently in 2014.

The 2014 Amendment recognizes the need for pain relief as an important obligation of the government. It creates a class of medicines called Essential Narcotic Drugs (ENDs). Power for legislation on ENDs has been shifted from the state governments to the central governments so that the whole country now can have a uniform law covering these medicines which are needed for pain relief.

Subsequently, NDPS rules which would be applicable to all states and union territories has been announced by the government of India in May 2015.[4] It also has included 6 drugs namely Morphine, Fentanyl, Methadone, Oxycodone, Codeine and Hydrocodone.[5] According to these rules, there is a single agency - the state drug controller - who can approve recognised medical institutions (RMI) for stocking and dispensing ENDs, without the need for any other licences. The RMIs are obliged to ensure proper documentation and to submit annual consumption statistics to the drug controller of the state.

The Act extends to the whole of India and it applies also to all Indian citizens outside India and to all persons on ships and aircraft registered in India.

A proposal to amend the NDPS Act via a Private Member's Bill was announced by Dr. Dharamvira Gandhi MP in November 2016. Dr. Gandhi's bill would legalise marijuana and opium.

Narcotics Control Bureau

The Narcotics Control Bureau (NCB) is the chief law enforcement and intelligence agency of India responsible for fighting drug trafficking and the abuse of illegal substances.[7][8] It was created on 17 March 1986 to enable the full implementation of the Narcotic Drugs and Psychotropic Substances Act (1985) and fight its violation through the Prevention of Illicit Trafficking in Narcotic Drugs and Psychotropic Substances Act.

Punishment

Anyone who contravenes the NDPS Act will face punishment based on the quantity of the banned substance.

where the contravention involves small quantity(<1 kg), with rigorous imprisonment for a term which may extend to 6 months, or with fine which may extend to ₹10,000 or with both;

where the contravention involves quantity lesser than commercial quantity but greater than small quantity, with rigorous imprisonment for a term which may extend to 10 years and with fine which may extend to ₹1 lakh;

where the contravention involves commercial quantity, with rigorous imprisonment for a term which shall not be less than 10 years but which may extend to 20 years and shall also be liable to fine which shall not be less than ₹1 lakh but which may extend to ₹2 lakh.

Controlled substances

The following list mentions the names of all substances banned or controlled in India under the NDPS Act. The list uses the International Nonproprietary Name (INN) of the drugs but in some cases mentions drugs by their chemical name. Widely known drugs such as ganja, cocaine, heroin etc. are mentioned by those names.

Cultivation/production/manufacture, possession, sale, purchase, transport, storage, consumption or distribution of any of the following substances, except for medical and scientific purposes and as per the rules or orders and conditions of licences that may be issued, is illegal.