



International Journal of Chemistry and Pharmaceutical Sciences

Journal Home Page: www.pharmaresearchlibrary.com/ijcps



RESEARCH ARTICLE

Regulations of Narcotic Drugs In India

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ABSTRACT

Narcotic Drugs and Psychotropic Substances Act also commonly termed as the NDPS Act, made with the purpose to control drugs of abuse and prohibit its use, dissipation, distribution, manufacture, and trade of substance of abuse. Narcotic drugs are those which induce sleep while psychotropic substances have the ability to alter the mind of an individual. NDPS Act came into existence on 14 November 1985 by Parliament of India. Although, as these kinds of drugs have their importance in the practice of medicine. Thus, the act also has provisions for the cultivation of cannabis, poppy, or coca plants and manufacture of any psychotropic substances dealing with the medicinal practices. Main agenda of the act is to have a control on manufacture, possession, sale and transport of such narcotic and psychotropic substances. The act bans around 200 psychotropic substances resultant upon these drugs are not available over the counter for any walk in individual. These drugs are on sale only when prescription for the same is available. Violation of this law may result into punishment including rigorous imprisonment or fine or both. The degree of punishment is dependent upon the harshness of the case being dealt with. If the drugs are used for personal use then the punishment may be lesser. Although since the establishment of the law, it has been amended time and again. But due to the availability of synthetic drugs and issues relating to street drugs and designer drugs, the problem in dealing with new drugs having the nature of substance of abuse is a difficult task. Besides NDPS also lacks in differentiating among users, drug peddler and hard core criminals in this drug trade. The present study is an overview on the NDPS act and its competency.

Keywords: Narcotics, Psychotropic substance, NDPS, Prohibition etc.

ARTICLE INFO

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PAPER-QR CODE

ARTICLE HISTORY: Received 21 January 2019, Accepted 28 February 2019, Available Online 27 April 2019

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Citation: Sorra Sivaprasad. *Regulations of Narcotic Drugs in India. Int. J. Chem, Pharm, Sci.*, 2019, 7(4): 78-84.

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1. Introduction

A new molecule can cost several millions of rupees or dollars to progress and any blunder causes greater impact on company's status. As medicines play a vital role in human's life there must be regulations for medicines ensuring Quality, Safety and Efficacy of drugs. The regulatory affairs professional is the only one who is completely responsible for holding products in compliance and maintaining all the records. One of the vital activities of the regulatory specialist is to ensure that the all the information regarding medicines has been correctly established to the patient covering labelling also. Even a small mistake in any of the activities related to regulatory can make the product to be recall in addition to loss of several millions of the money. Drug development to commercialization is highly regulated. Every drug before getting market approval must undergo rigorous scrutiny and clinical trials to ensure its safety, efficacy and quality. These standards are set by regulatory authorities of their respective countries such as FDA in US and DCA in India etc. Regulation affects all aspects of the pharmaceutical world, from independent innovators and pharmaceutical companies to regulatory and administrative bodies and patients also. Regulatory department is crucial link between company, products and regulatory authorities whose positive or negative standpoint foster the insight of the regulatory authority into the industry, for good or for bad. So, the better the scientific precision, the greater will be the chances for a product to come to the market within the expected time.

Regulation and regulatory Affairs:

Regulation involves extensive evaluation of a particular drug product to ensure protection of public health, promotion of the product, Drug registration, marketing authorization, import and distribution, pharmacovigilance. Regulatory Affairs is a comparatively new profession which has developed from the desire of governments to protect public health, by controlling the safety and efficacy of products in areas including pharmaceuticals, veterinary medicines, medical devices, pesticides, agrochemicals, cosmetics and complementary medicines. Regulatory Affairs is a unique mixture of science and management to achieve a commercially important goal within a drug-development organization. Regulatory Affairs takes care of Development plan, supervising-writing / reviewing and assembling and submission management. They give strategic and technical advice at the highest level in their companies, right from the beginning of the development of a product, making an important contribution both commercially and scientifically to the success of a development programme and the company as a whole.

Generation of various Regulations:

Major incidences made us to understand that rules and regulations are required to prove safety along with efficacy of drug. Such incidences are as follows:

- Diphtheria Epidemic led to 1902 Biologics Control Act
- Publication of *The Jungle* by Upton Sinclair led to 1906 Pure Food and Drugs Act

- Elixir of Sulfanilamide led to the 1938 Food Drug and Cosmetic Act
- Thalidomide led to the 1962 Kefauver-Harris Amendments
- Dalkon Shield led to the 1976 Medical Device Amendments
- Bjork-Shiley Heart Valves led to the 1990 Safe Medical Devices Act

2. Objective

The aim of the present work is to make a report on the regulations implemented and governed for the narcotic drugs across the world and mainly discussing about Indian regulations about narcotic regulations. All the data is collected from the official documents and the official websites of the individual regulatory bodies of the concerned countries and the data is extracted and made suggestions afterwards.

Narcotic Drugs and Psychotropic Substances Act, 1985

The Narcotic Drugs and Psychotropic Substances Act, 1985, commonly referred to as the NDPS Act, is an Act of the Parliament of India that prohibits a person to produce/manufacture/cultivate, possess, sell, purchase, transport, store, and/or consume any narcotic drug or psychotropic substance. 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, received assent from then President Giani Zail Singh on 16 September 1985, and came into force on 14 November 1985. The NDPS Act has since been amended thrice - in 1988, 2001 and 2014. 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.

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.

Narcotic drugs and psychotropic substances, etc., not liable to distress or attachment:

Notwithstanding anything to the contrary contained in any law or contract, no narcotic drug, psychotropic substance, coca plant, the opium poppy or cannabis plant shall be liable to be detained or attached by any person for the recovery of any money under any order or decree of any court or authority or otherwise.

Restrictions over external dealings in narcotic drugs and psychotropic substances:

No person shall engage in or control any trade whereby a narcotic drug or psychotropic substance is obtained outside India and supplied to any person outside India save with the previous authorization of the Central Government and subject to such conditions as may be imposed by that Government in this behalf.

Offences and Penalties:

Chapter IV describes offences under the Act, and the punishments to be applied for contravening provisions of the Act. The various sections under this chapter prescribe a minimum term of rigorous imprisonment of 10 years, which may extend to 20 years for offenders, and also a fine which shall not be less than one lakh rupees but which may extend to two lakh rupees. In all cases, the court may impose a higher fine, for reasons to be recorded in the judgment.

Punishment for contravention in relation to poppy straw: Any person who contravenes any provision of this Act, or any rule or order made or condition of a license granted thereunder, produces, possesses, transports, imports inter-State, exports inter-State, sells, purchases, uses or omits to warehouse poppy straw or removes or does any act in respect of warehoused poppy straw, shall be punishable with rigorous imprisonment for a term which shall not be less than ten years but which may extend to twenty years and shall also be liable to fine which shall not be less than one lakh rupees but which may extend to two lakh rupees. The court may, for reasons to be recorded in the judgment, impose a fine exceeding two lakh rupees.

Punishment for contravention in relation to coca plant and coca leaves:

Any person who contravenes any provision of this Act, or any rule or order made or condition of license granted thereunder, cultivates any coca plant or gathers any portion of a coca plant or produces, possesses, sells, purchases, transports, imports inter-State, exports inter-State or uses coca leaves, shall be punishable with rigorous imprisonment for a term which shall not be less than ten years but which may extend to twenty years and shall also be liable to fine which shall not be less than one lakh rupees but which may extend to two lakh rupees.

Punishment for contravention in relation to prepared opium: Any person who contravenes any provision of this Act, or any rule or order made or condition of license granted thereunder manufactures, possesses, sells, purchases, transports, imports inter-State, exports inter-State or uses prepared opium shall be punishable with rigorous imprisonment for a term which shall not be less than ten years but which may extend to twenty years and shall also be liable to fine which shall not be less than one lakh rupees but which may extend to two lakh rupees.

Punishment for contravention in relation to opium poppy and opium:

Any person who contravenes any provision of this Act, or any rule or order made or condition of license granted thereunder cultivates the opium poppy or produces, manufactures, possesses, sells, purchases, transports, imports inter-State, exports inter-State or uses opium shall be punishable with rigorous imprisonment for a term which shall not be less than ten years but which may extend to twenty years and shall also be liable to fine which shall not be less than one lakh rupees but which may extend to two lakh rupees.

Punishment for embezzlement of opium by cultivator:

Any cultivator licensed to cultivate the opium poppy on account of the Central Government who embezzles or otherwise illegally disposes of the opium produced or any part thereof, shall be punishable with rigorous

imprisonment for a term which shall not be less than ten years but which may extend to twenty years and shall also be liable to fine which shall not be less than one lakh rupees but which may extend to two lakh rupees.

Punishment for contravention in relation to cannabis plant and cannabis:

Any person who contravenes any provision of this Act or any rule or order made or condition of license granted thereunder, cultivates any cannabis plant; or produces, manufactures, possesses, sells, purchases, transports, imports inter-State, exports inter-State or uses cannabis, shall be punishable:

- where such contravention relates to ganja or the cultivation of cannabis plant, with rigorous imprisonment for a term which may extend to five years and shall also be liable to fine which may extend to fifty thousand rupees;
- where such contravention relates to cannabis other than ganja, with rigorous imprisonment for a term which shall not be less than ten years but which may extend to twenty years and shall also be liable to fine which shall not be less than one lakh rupees and which may extend to two lakh rupees.

Punishment for contravention in relation to manufactured drugs and preparations:

Any person who contravenes any provision of this Act, or any rule or order made or condition of license granted thereunder manufactures, possesses, sells, purchases, transports, imports inter-State, exports inter-State or uses any manufactured drug or any preparation containing any manufactured drug shall be punishable with rigorous imprisonment for a term which shall not be less than ten years but which may extend to twenty years and shall also be liable to fine which shall not be less than one lakh rupees but which may extend to two lakh rupees.

Punishment for contravention in relation to psychotropic substances:

Any person who contravenes any provision of this Act or any rule or order made or condition of license granted thereunder, manufactures, possesses, sells, purchases, transports, imports inter-State, export inter-State, or uses any psychotropic substance shall be punishable with rigorous imprisonment for a term which shall not be less than ten year but which may extend to twenty years and shall also be liable to fine which shall not be less than one lakh rupees but which may extend to two lakh rupees.

Punishment for illegal import into India, export from India or transshipment of narcotic drugs and psychotropic substances:

Any person who contravenes any provision of this Act or any rule or order made or condition of license or permit granted or certificate or authorization issued thereunder, imports into India or exports from India or transships any narcotic drug or psychotropic substance shall be punishable with rigorous imprisonment for a term which shall not be less than ten years but which may extend to twenty years and shall also be liable to fine which shall not be less than one lakh rupees but may extend to two lakh rupees.

Punishment for external dealings in narcotic drugs and psychotropic substances in contravention of section 12:

Whoever engages in or controls any trade whereby a narcotic drug or a psychotropic substance is obtained outside India and supplied to any person outside India without the previous authorization of the Central Government or otherwise than in accordance with the conditions (if any) of such authorization granted under section 12, shall be punishable with rigorous imprisonment for a term which shall not be less than ten years but which may extend to twenty years and shall also be liable to fine which shall not be less than one lakh rupees but may extend to two lakh rupees.

Punishment for allowing premises, etc., to be used for commission of an offence:

Whoever, being the owner or occupier or having the control or use of any house, room, enclosure, space, place, animal or conveyance knowingly permits it to be used for the commission by any other person of an offence punishable under any provision of this Act, shall be punishable with rigorous imprisonment for a term which shall not be less than ten years but which may extend to twenty years and shall also be liable to fine which shall not be less than one lakh rupees but which may extend to two lakh rupees.

Punishment for contravention of orders made under section 9A:

If any person contravenes an order made under section 9A, he shall be punishable with rigorous imprisonment for a term which may extend to ten years and shall also be liable to fine which may extend to one lakh rupees.

Punishment for certain acts by licensee or his servants:

If the holder of any license, permit or authorization granted under this Act or any rule or order made thereunder or any person in his employ and acting on his behalf:

- Omits, without any reasonable cause, to maintain accounts or to submit any return in accordance with the provisions of this Act, or any rule made thereunder;
- Fails to produce without any reasonable cause such license, permit or authorization on demand of any officer authorized by the Central Government or State Government in this behalf;
- Keeps any accounts or makes any statement which is false or which he knows or has reason to believe to be incorrect; or
- Willfully and knowingly does any act in breach of any of the conditions of license, permit or authorization for which a penalty is not prescribed elsewhere in this Act, he shall be punishable with imprisonment for a term which may extend to three years or with fine or with both.

Punishment for illegal possession in small quantity for personal consumption of any narcotic drug or psychotropic substance or consumption of such drug or substance:

Any person who contravenes any provision of this Act, or any rule or order made or permit issued thereunder, possesses in a small quantity, any narcotic drug or psychotropic substance, which is proved to have been intended for his personal consumption and not for sale or distribution, or consumes any narcotic drug or psychotropic

substance, shall, notwithstanding anything contained in this Chapter, be punishable:

- Where the narcotic drug or psychotropic substance possessed or consumed is cocaine, morphine, diacetyl-morphine or any other narcotic drug or any psychotropic substance as may be specified in this behalf by the Central Government, by notification in the Official Gazette, with imprisonment for a term which may extend to one year or with fine or with both; and
- Where the narcotic drug or psychotropic substance possessed or consumed is other than those specified in or under the previous point, with imprisonment for a term which may extend to six months or with fine or with both.
- For the purposes of this section "small quantity" means such quantity as may be specified by the Central Government by notification in the Official Gazette. If a person is found to be in possession of a small quantity of a narcotic drug or psychotropic substance, the burden of proving that it was intended for the personal consumption of such person and not for sale or distribution, shall lie on such person.

Punishment for financing illicit traffic and harboring offenders:

Whoever indulges in financing, directly or indirectly, any of the activities specified in sub-clauses (i) to (v) of clause (viii) of section 2 or harbors any person engaged in any of the aforementioned activities, shall be punishable with rigorous imprisonment for a term which shall not be less than ten years but which may extend to twenty years and shall also be liable to fine which shall not be less than one lakh rupees but which may extend to two lakh rupees.

Punishment for attempts to commit offences:

Whoever attempts to commit any offence punishable under this Chapter or to cause such offence to be committed and in such attempt does any act towards the commission of the offence shall be punishable with the punishment provided for the offence.

Punishment for abetment and criminal conspiracy:

Whoever abets, or is a party to a criminal conspiracy to commit, an offence punishable under this Chapter, shall, whether such offence be or be not committed in consequence of such abetment or in pursuance of such criminal conspiracy, and notwithstanding anything contained in section 116 of the Indian Penal Code, be punishable with the punishment provided for the offence. A person abets, or is a party to a criminal conspiracy to commit, an offence, within the meaning for this section, who, in India, abets or is a party to the criminal conspiracy to the commission of any act in a place without and beyond India which would constitute an offence if committed within India; or under the laws of such place, is an offence relating to narcotic drugs or psychotropic substances having all the legal conditions required to constitute it such an offence the same as or analogous to the legal conditions required to constitute it an offence punishable under this Chapter, if committed within India.

Preparation:

If any person makes preparation to do or omits to do anything which constitutes an offence punishable under any of the provisions of section 15 to section 25 (both inclusive) and from the circumstances of the case it may be reasonably inferred that he was determined to carry out his intention to commit the offence but had been prevented by circumstances independent of his will, he shall be punishable with rigorous imprisonment for a term which shall not be less than one-half of the minimum term (if any), but which may extend to one-half of the maximum term, of imprisonment with which he would have been punishable in the event of his having committed such offence, and also with fine which shall not be less than one-half of the minimum amount (if any), of fine with which he would have been punishable, but which may extend to one-half of the maximum amount of fine with which he would have ordinarily (that is to say in the absence of special reasons) been punishable, in the event aforesaid.

Enhanced punishment for certain offences after previous conviction:

If any person who has been convicted of the commission of, or attempt to commit, or abetment of, or criminal conspiracy to commit, any of the offences punishable under section 15 to section 25 (both inclusive) is subsequently convicted of the commission of, or attempt to commit, or abetment of, or criminal conspiracy to commit, an offence punishable under:

- Section 15 to section 19, section 20 (except for cultivation of cannabis) and section 21 to section 25 (both inclusive), he shall be punished for the second and every subsequent offence with rigorous imprisonment for a term which shall not be less than fifteen years but which may extend to thirty years and shall also be liable to fine which shall not be less than one lakh fifty thousand rupees but which may extend to three lakh rupees.
- (b)section 20 (except for cultivation of cannabis), he shall be punished for the second and every subsequent offence for a term which may extend to ten years and shall also be liable to fine which may extend to one lakh rupees.
- Where any person is convicted by a competent court of criminal jurisdiction outside India under any law corresponding to the provisions of section 15 to section 25 (both inclusive), section 28 and section 29, such person, in respect of such conviction, shall be dealt with for the purposes of point 1 as if he had been convicted by a court in India. Death penalty for certain offences after previous conviction.

Punishment for offence for which no punishment is provided:

Any person who contravenes any provision of this Act or any rule or order made, or any condition of any license, permit or authorization issued thereunder for which no punishment is separately provided in this Chapter, shall be punishable with imprisonment for a term which may extend to six months, or with fine, or with both.

No suspension, remission or commutation in any sentence awarded under this Act:

Notwithstanding anything contained in the Code of Criminal Procedure, 1973 or any other law for the time being in force but subject to the provisions of section 33, no sentence awarded under this Act (other than section 27) shall be suspended or remitted or commuted.

Application of section 360 of the Code of Criminal Procedure, 1973 and of the Probation of Offenders Act, 1958: Nothing contained in section 360 of the Code of Criminal Procedure, 1973 or in the Probation of Offenders Act, 1958 shall apply to a person convicted of an offence under this Act unless such person is under eighteen years of age or that the offence for which such person is convicted is punishable under section 26 or section 27.

Security for abstaining from commission of offence:

Whenever any person is convicted of an offence punishable under any provision of Chapter IV and the court convicting him is of opinion that it is necessary to require such person to execute a bond for abstaining from the commission of any offence under this Act, the court may, at the time of passing sentence on such person, order him to execute a bond for a sum proportionate to his means, with or without sureties, for abstaining from commission of any offence under Chapter IV during such period not exceeding three years as it think fit to fix. The bond shall be in such form as may be prescribed by the Central Government and the provisions of the Code of Criminal Procedure, 1973, shall, in so far as they are applicable, apply to all matters connected with such bond as if it were a bond to keep the peace ordered to be executed under section 106 of that Code. If the conviction is set aside on appeal or otherwise, the bond so executed shall become void. An order under this section may also be made by an appellate court or by the High Court or Sessions Judge when exercising the powers of revision.

Presumption of culpable mental state:

In any prosecution for an offence under this Act which requires a culpable mental state of the accused, the court shall presume the existence of such mental state but it shall be a defense for the accused to prove the fact that he had no such mental state with respect to the act charged as an offence in that prosecution. In this section "culpable mental state" includes intention, motive, knowledge of a fact and belief in, or reason to believe, a fact. For the purpose of this section, a fact is said to be proved only when the court believes it to exist beyond a reasonable doubt and not merely when its existence is established by a preponderance of probability.

Constitution of Special Courts:

The Government may, for the purpose of providing speedy trial of the offences under this Act, by notification in the Official Gazette, constitute as many Special Courts as may be necessary for such area or areas as may be specified in the notification. A Special Court shall consist of a single Judge who shall be appointed by the Government with the concurrence of the Chief Justice of the High Court. In this section, "High Court" means the High Court of the State in which the Session Judge or the Additional Sessional Judge of a Special Court was working immediately before his appointment as such Judge. A person shall not be qualified for appointment as a Judge of a Special Court unless he is,

immediately before such appointment, a Sessions Judge or an Additional Sessions Judge.

3. Trade in Narcotic Drugs

The Chief Controller of Factories, New Delhi shall ensure adequate and uninterrupted supply of morphine, codeine, thebaine and their salts to the users in India, in particular of codeine phosphate which is consumed in quantities far in excess of its domestic production. The likely demand and estimated production within the country should be assessed well in advance of the commencement of the year and steps taken to ensure that the demand supply gap is adequately met though import.

Sale, transport, use and consumption of narcotic drugs is regulated by the State Governments under the State NDPS Rules framed under the NDPS Act. Excessive regulations and cumbersome procedures in many States have discouraged the doctors from prescribing narcotic drugs such as morphine and chemists from stocking them. Morphine, a derivative of opium, is known to be the best analgesic and which alone will relieve extremely excruciating pain such as the pain of a terminally ill cancer patient or of a victim of gunshot. As a result of the procedures, medical use of morphine has been extremely low with the result that tens of thousands of patients in India suffer from avoidable pain. India, which has one-sixth of the humanity, uses only one-thousandth of the morphine consumed in the world. The State Governments will take effective steps to simplify the procedures for use of morphine and other opioids and the Ministry of Health and Family Welfare will sensitise doctors and pharmacies to the need to prescribe and stock respectively such preparations. A course on palliative care shall be considered for inclusion in the curriculum of undergraduate medical students. State Governments shall establish and / or recognize palliative care centres where patients will be provided palliative care. In each District there should be at least two such palliative care centres. State Government shall establish procedure to ensure hassle free supply of morphine & other opioids in adequate quantity to these centres. Guidelines of WHO in this regard will be studied and adopted to extent possible, to maintain the balance between the need to make available opioids for palliative care and pain relief and preventing their diversion for abuse.

4. Smuggling of Drugs

Located between two of the world's largest illicit drug producing regions, India has been a transit country for long. Smuggling of drugs into and out of the country has been a very important problem of drug control in India and hence will be an area of focus. In order to effectively counter the problem of smuggling, efforts will be made to:

- Sensitise and build capacities of personnel posted at the land borders, sea frontiers and airports.
- Establish mechanisms for and continuously strengthen cross border cooperation with neighbouring countries, and in particular, develop mechanisms for direct exchange of intelligence between Indian officers posted

at these posts and their counterparts in the neighbouring countries.

- To curb the growth of illegal internet pharmacies indulging in smuggling of preparations containing narcotic drugs and psychotropic substances.

5. Current Status

As far as the drug law enforcement is concerned, the Narcotics Control Bureau (NCB) has been compiling statistics on seizures, etc. from various State and Central law enforcement agencies and has been compiling the National Drug Enforcement Statistics (NDES) every month. These statistics represent the drug law enforcement as well as the comparative performance of various agencies. On the drug demand reduction side, there is no similar mechanism to regularly collect statistics on the drug addiction other than the Drug Abuse Monitoring System (DAMS) which shows the profiles of treatment seekers who approach the drug de-addiction centres supported by MSJ&E. A comprehensive survey of drug addiction was conducted in 2001 and MSJ&E proposes to conduct another survey shortly. Though these surveys are quite comprehensive, they are standalone efforts and are not a mechanism through which levels of drug addiction can be regularly monitored. As far as monitoring licit trade is concerned, statistics are compiled and are readily available for such activities as are monitored centrally by the Narcotics Commissioner. These include import and export of narcotic drugs, psychotropic substances, precursors and manufacture of synthetic narcotic drugs. Statistics are also available where the activities are exclusively conducted by the Chief Controller of Factories such as drying of opium, manufacture of alkaloids from opium and import of narcotic drugs. With the introduction of the system for distribution of approved estimates of narcotic drugs as among users by the Narcotics Commissioner, all data pertaining to estimates and consumption of narcotic drugs will also be available with the Narcotics Commissioner. Domestic trade in precursors is monitored by the Zonal Directors of NCB who thus, have all necessary statistics. However, an administrative mechanism to compile all these statistics has yet to be developed by the NCB. Statistics in respect of consumption of narcotic drugs as well as manufacture, trade, use, stocks and consumption of psychotropic substances are not collected under the NDPS Rules. These need to be obtained from the State Drugs Controllers and in this respect, our mechanism of collection of statistics needs improvement.

6. Future Course of Action

- Efforts will be made to maintain and further strengthen the mechanism for collection of statistics on drug law enforcement by the NCB.
- The mechanism of collection of statistics on legitimate manufacture, trade, use, consumption and stocks of narcotic drugs, psychotropic substances and precursors will be strengthened and streamlined.
- Efforts will be made to develop a mechanism to regularly collect statistics on drug and substance

abuse in the country and to use such statistics as a yardstick to measure effect of various interventions.

7. Study and Research

Research is a very important component of drug control which has not received due attention in the country so far. Government agencies and Government approved agencies shall be encouraged, promoted and to the extent possible, supported to conduct studies & research in the following areas:

- a. Illicit drug markets in the country
- b. Diversion from licit production in the country
- c. Movement and use of money derived from drug trafficking
- d. Methods of treatment, rehabilitation, relapse, impact of harm reduction on rates of addiction, etc.
- e. Laboratory testing procedures for drugs and precursors including advanced techniques such as impurity profiling.
- f. Methods to curb cyber-crimes involving NDPS.

Strategic Frame work and Plan of Action

From 13 to 17th December, 2010 the International Narcotics Control Board (INCB) carried out a mission to India and interacted with all the concerned Ministries and Departments involved in the field of drug control in the country as also with NGOs active in the field of palliative care and in the treatment and rehabilitation of addicts. Subsequently, the recommendations of the INCB based upon the observation of the mission have been received by the Government of India.

The said recommendations have been incorporated in the 'Plan of Action' to be followed by various Ministries, Departments and Agencies within a certain time frame. The same is annexed.

8. References

- [1] Gurkaran Kaur, Gurpreet Kaur,1 and Sukhminder Singh Bajwa, Inside preview of procuring narcotic license, *Indian J Anaesth.* 2015 Jun; 59(6): 385–386.
- [2] K V S Sarma, Drug regulations in India- A critical analysis, *Pharmaceut Reg Affairs* 2015, 4:3, <http://dx.doi.org/10.4172/2167-7689.S1.019>.
- [3] Quality in the Manufacture of Medicine and other healthcare products, Pharmaceutical press, chapter.3, 29-41.
- [4] Dikshit R, Gupta PC, Ramasundarahettige C, Gajalakshmi V, Aleksandrowicz L, Badwe R, et al. Cancer mortality in India: A nationally representative survey. *Lancet.* 2012;379:1807–16.
- [5] Gureje O, Von Korff M, Simon GE, Gater R. Persistent pain and well-being: A World Health Organization study in primary care. *JAMA.* 1998;280:147–51.
- [6] Opioid Consumption, A Global Indicator for Palliative Care? Posted by Pain Policy and Palliative Care; April 11, 2012. [Last accessed on 2014 Sep 22]. Available from: <https://www.painpolicy.wordpress.com/2012/04/1>

1/opioid.consumption.a.global.indicatorfor.palliati
ve.care/

- [7] Rajagopal MR, Joranson DE. India: Opioid availability. An update. *J Pain Symptom Manage.* 2007;33:615–22.
- [8] Atari RP. 2nd ed. New Delhi, India: Orient Publishing Company; 2005. Law relating to narcotic drugs and psychotropic substances in India.
- [9] World Health Organization. Achieving Balance in National Opioids Control Policy: Guidelines for Assessment. Geneva: World Health Organization. 2000
- [10] Davis MP, Walsh D. Epidemiology of cancer pain and factors influencing poor pain control. *Am J Hosp Palliat Care.* 2004;21:137–42.
- [11] Blengini C, Joranson DE, Ryan KM. Italy reforms national policy for cancer pain relief and opioids. *Eur J Cancer Care (Engl)* 2003;12:28–34.
- [12] Noble M, Tregear SJ, Treadwell JR, Schoelles K. Long-term opioid therapy for chronic noncancer pain: A systematic review and meta analysis of efficacy and safety. *J Pain Symptom Manage.* 2008;214–28.
- [13] Rajagopal MR, Joranson DE, Gilson AM. Medical use, misuse, and diversion of opioids in India. *Lancet.* 2001;358:139–43.