

Chapter-5 | Pharmacy Law & Ethics (Pharmaceutical Jurisprudence)

Narcotic Drugs and Psychotropic Substances Act 1985 and Rules

- **Narcotic Drugs and psychotropic substances Act 1985 and Rules Objectives, Definitions, Authorities and Officers, Prohibition, Control and Regulation, Offences and Penalties.**

Introduction:

- The central acts like Opium Act 1857, the opium Act, 1878 & the Dangerous Drugs Act, 1930 were erected a long time ago.
- With the changing circumstances and the developments in the field illicit drugs traffic and drugs abuse at national and International level many drawbacks have come to notice in the said Acts.
- The government of India has repealed these old Acts passed the:
- These Acts established in 14 November 1985.
- It also provides the licensing system for both central & state government.

Objectives:

- The main objective of this Act is to consolidate & Amend the law relating to Narcotic Drugs.
- To make stringent provision for control & Regulate the operation relating to Narcotic Drugs & Psychotropic substance and matters concerned there with it.

Definitions:

Addict:

- A Person habitual to regular use of any Narcotic drugs or Psychotropic substances.

Cannabis:

1. **Charas:** Separated resin in crude or purified form obtained from the cannabis plant and resin called "*Hashish oil*".
2. **Ganja:** The flowering or fruiting tops of the cannabis plants.
3. **Caca Derivative:** Includes crude cocaine which is a methyl ester of benzoyl-ecgonine and its salts.
4. **Opium:** Means the coagulated juice of the opium poppy and its mixture with or without neutral material.

Narcotics Control Bureau (NCB)

- NCB was established on 17th march 1986 to enable the full implementation of the NDPS Act 1985.

Headquarter: Delhi

- NCBs are the chief law enforcement and Intelligence agency of India.

Authorities and Officers:

- I. Central government to take measures for preventing and combating abuse of Narcotic drugs and illicit traffic therein.
- II. Officers Of Central Government
 - They appoint Narcotic commissioner and other officers. The functions are:
 1. The supervision of cultivation of opium poppy
 2. Production of Opium.
- III. NDPS Consultative committee.

The committee shall advise the central government on the matters relating to the administration of the Act.

Prohibition, Control and Regulation:

No person with the permission of the central government shall-

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- a) Cultivate coca plant or gather any portion of it.
- b) Cultivate opium poppy or cannabis.
- c) Produce, manufacture, sell, purchase, transport, warehouse, use, import, and export and NDPs except for medicinal and scientific purpose with government Approval.

Psychotropic substances:

Any natural or synthetic drug that affects emotional state includes:

- a) Antidepressants
- b) Sedatives
- c) Stimulants
- d) Tranquillizers

Offences:

- Contravention of provisions in respect of poppy plant opium and coco plant prepared opium, manufactured drugs and narcotics.
- Illegal import or export or external dealings in NDPs.
- Allowing use of premises and vehicles for commission of an offence under the Act.
- Embezzlement of opium by licensed cultivators.
- Contravention in respect of cannabis plant other than GANJA.

Penalties:

- Rigorous imprisonment for 10-20 years also a Fine between ₹ 1 to 2 lakhs or more.
- Rigorous imprisonment up to 5 years and fine up to ₹ 50000.