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## A Study on Indian Legal Provisions on Drug Control

Author  
Debolina Ghosh



# A Study on Indian Legal Provisions on Drug Control

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## Abstract

The concept of drugs and its consumption is no longer an unknown fact for the people. More or less everyone has the idea of these things. May it be through news or real-life experiences. But what many doesn't know about is the steps, they can take against all these or what are provisions to safe guard them. By this article, the researcher aims to focus particularly on the legal provisions of the drug control mechanism provided by Indian government<sup>2</sup>.

This article primarily focuses on the NDPS act which is the primary legislation for controlling and supervising drug related crimes in India. There are other Acts, such as Customs Act, which deals with the illegal trading through the borders, then there is Prevention of Money Laundering Act to deal with the illegal funding or money raising circle that is been done to support a huge portion of these rackets. In this article the researcher will discuss about juvenile justice act, for the purpose of rehabilitating the children who somehow get connected to these addictions. BNS for the specific penal provisions as drug dealing can to many crime that are mentioned there. Drugs and Cosmetics Act for preventing the misuse of psychotropic substances. And lastly The Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act, this Act deals with illegal trading of drugs and illegal substances.

The analysis adopted on a doctrinal-research that is based on judicial decisions, articles and statutory provisions. It also focusses on the bail provisions and how the accused are treated. Whether the legal system focus on punishment or rehabilitation.

## Introduction

The drug related crimes have ejected as one of the most challenging as well as significant problems in the modern society, which is affecting public health, law and order, social balance and economical security the most. The rapid growth in the trading and consumption of illicit drugs and psychotropic substances has been spread all over the world now. Substance abuse is not a personal medical issue because it has now become associated with several forms of criminal activity such as organized crime, trafficking, money laundering, smuggling, and violence. In India, the problem of drug-related crimes and its related abuses has increased over the years due to some factors such as, globalization, availability of synthetic drugs, and the involvement of criminal networks and as a result, the Indian legal system has developed a extensive framework to control, and punish offences related to narcotic drugs and psychotropic substances or in simple words drug related crimes.

In India the drug related offences are primarily governed by the '*Narcotic Drugs and Psychotropic Substances Act*', which is the principal legislation to control and regulate the illegal use of narcotic substances and psychotropic drugs in the country. This Act was enacted for consolidating and amending the laws which are related to narcotic drugs, making strict provisions to the control and regulated all kind of operations that are related to such substances, and also to provide severe punishment for offences which involves illicit trafficking of these substances. This Act also aims to fulfil India's obligations under the international conventions relating to narcotic drugs and psychotropic substances also to ensure that all these substances

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<sup>2</sup> <https://narcoticsindia.nic.in/>

are used only for the purpose of medical and scientific or research purposes. Further in addition to the NDPS Act, several other legislations in India play an important and supportive role in addressing different dimensions of drug-related offences. For example, the prevention of illicit traffic in NDPS Act, provides provisions for preventive detention of accused involved in illicit trafficking of narcotic substances, therefore by enabling authorities to prevent these illicit trafficking activities before they occur. Similarly, *the Prevention of Money Laundering Act* addresses the financial aspect of drug-related crime by targeting the laundering of proceeds generated through the illegal drug trade. Since the trafficking of drugs often generates huge illegal profits, this law plays a crucial role in identifying, attaching, and confiscating properties derived from such illegal activities.

Furthermore, the misuse of pharmaceutical drugs and controlled substances is regulated through the *Drugs and Cosmetics Act* which governs the distribution, manufacture, and the sale of medicinal drugs in India. This Act ensures that certain substances are not misused or they are distributed without proper authorization.

In cases where drug trafficking involves cross-border smuggling through ports, airports, or land borders, the provisions of the *Customs Act* become relevant, as it empowers authorities to prevent the illegal import and export of prohibited substances. In addition, certain provisions of the *Bharatiya Naya Sanhita* may also apply in situations where drug-related activities involve criminal conspiracy, abetment, or violence.

In the context of this criminological study, examining the legal framework which is governing the drug-related offences becomes important to understand how the law seeks to control drug abuse, and maintain social order. The following sections of this chapter will therefore examine the major legislations governing drug-related offences in India and analyse their role in addressing the growing problem of substance abuse and drug-related crime.

### **The Narcotic Drugs and Psychotropic Substances Act, 1985<sup>3</sup>**

The Narcotic Drugs and Psychotropic Substances Act, 1985 is the principal legislation in India governing drug-related offences. It was enacted to consolidate and amend existing laws relating to narcotic drugs and to provide stringent measures for the control and regulation of operations involving such substances. The Act aims to curb drug abuse, prevent illicit trafficking, and ensure that narcotic drugs and psychotropic substances are used only for medical and scientific purposes. It also fulfils India's obligations under international drug control conventions and establishes a strict legal framework with severe penalties to combat drug-related crimes.

#### **a) Section 8 – Prohibition**

This is the core provision which prohibits the production, manufacture, possession, sale, purchase, transport, and consumption of narcotic drugs and psychotropic substances. Allowed only for medical or scientific purposes under authorization. Forms the base of all offences under the Act. Any violation attracts punishment under subsequent penal sections. Establishes the strict control framework of the Act.

#### **b) Section 20 – Cannabis**

Deals with offences relating to cannabis including cultivation, possession, sale, and transport. Covers Ganja and Charas specifically. Punishment depends on quantity involved. Small quantity → lesser punishment;

Commercial → severe punishment.

Reflects strict regulation of plant-based drugs.

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<sup>3</sup> The Narcotic Drugs and Psychotropic Substances Act, 1985 available at <https://www.indiacode.nic.in/bitstream/123456789/18974/1/narcotic-drugs-and-psychotropic-substances-act-1985.pdf>

**c) Section 21 – Manufactured Drugs**

Applies to drugs like heroin, morphine, etc. Covers possession, sale, purchase, and transport. One of the most frequently invoked provisions. Punishment is quantity-based (up to 20 years for commercial quantity). Targets processed and refined narcotics.

**d) Section 22 – Psychotropic Substances**

Covers synthetic drugs such as LSD, MDMA, amphetamines. Includes possession, sale, and use. Punishment depends on quantity involved. Important due to rise of synthetic drug abuse. Extends scope beyond natural narcotics.

**e) Section 23 – Illegal Import/Export**

Deals with cross-border trafficking of drugs. Covers illegal import into or export from India. Punishment is strict and quantity-based. Often applied along with Customs Act provisions. Targets international drug networks.

**f) Section 27 – Consumption**

Punishes consumption of narcotic drugs. Lesser punishment compared to trafficking offences. Recognizes distinction between users and traffickers. May include imprisonment or fine. Important from rehabilitation perspective.

**g) Section 27A – Financing Illicit Traffic**

Punishes financing or harbouring drug traffickers. Considered one of the most serious offences. Attracts rigorous imprisonment (10–20 years). Targets organized crime and drug cartels. Focuses on economic backbone of drug trade.

**h) Section 29 – Abetment & Conspiracy**

Covers aiding, abetting, or planning drug offences. Even indirect involvement is punishable. Same punishment as main offence. Important in organized crime cases. Expands scope of liability.

**Punishment Structure (General)**

Small quantity → up to 1 year imprisonment or fine. Intermediate quantity → up to 10 years with fine. Commercial quantity → 10–20 years with heavy fine. Repeat offences → enhanced punishment. Reflects strict and deterrent approach.

The NDPS Act forms the backbone of India's legal framework on drug-related offences, providing stringent provisions to control and punish activities related to narcotic drugs and psychotropic substances. Its strict punishment regime and procedural safeguards reflect a strong deterrent approach, though it also raises concerns regarding harsh bail conditions and burden of proof. Overall, it plays a central role in combating drug abuse and trafficking.

### **3.3. Drugs and Cosmetics Act, 1940**

The Drugs and Cosmetics Act, 1940<sup>4</sup> is an important legislation regulating the manufacture, distribution, and sale of drugs in India. Although not directly a penal law for narcotic offences, it plays a crucial role in preventing the misuse of pharmaceutical drugs and controlled substances. With the increasing abuse of prescription medicines and codeine-based products, this Act complements the NDPS framework by ensuring that drugs are manufactured and sold only under proper authorization and standards.

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<sup>4</sup> Drugs and Cosmetics Act, 1940 available at

[https://www.indiacode.nic.in/bitstream/123456789/15278/1/drug\\_cosmeticsa1940-23.pdf](https://www.indiacode.nic.in/bitstream/123456789/15278/1/drug_cosmeticsa1940-23.pdf)

- a) **Section 18 – Prohibition of Manufacture and Sale**  
Prohibits manufacture and sale of drugs that are:  
Not of standard quality  
Misbranded, adulterated, or spurious  
Ensures drugs are sold only with proper license. Important in preventing illegal drug circulation. Forms the basis of offences under the Act.
- b) **Section 18A – Disclosure of Manufacturer**  
Requires persons to disclose source of drugs. Helps trace illegal supply chains. Useful in cases of drug misuse and black marketing. Non-compliance attracts penal action. Strengthens accountability in distribution.
- c) **Section 22 – Powers of Inspector**  
Empowers drug inspectors to:
  - Search premises
  - Seize drugs
  - Inspect records
 Important for enforcement mechanism. Helps detect illegal sale and storage. Supports prevention of misuse.
- d) **Section 27 – Penalty for Manufacture/Sale**  
Provides punishment for:  
Spurious or adulterated drugs  
Punishment includes:  
Imprisonment (can extend to life in serious cases), Fine  
Severity depends on nature of offence. Acts as strong deterrent.
- e) **Section 28 – Penalty for Non-Disclosure**  
Punishment for failure to disclose drug source. Includes imprisonment or fine. Helps prevent illegal distribution chains. Ensures regulatory compliance. Supports investigation process.

The Drugs and Cosmetics Act plays an important regulatory role in preventing the misuse of pharmaceutical drugs and ensuring their safe distribution. Although not directly aimed at narcotic offences, it helps control the illegal circulation of prescription drugs, thereby indirectly contributing to the prevention of drug abuse and related crimes.

### **3.4. Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act, 1988<sup>5</sup>**

The Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act, 1988 is a preventive law which aimed at combating the organized drug trafficking in India. NDPS Act, which primarily focuses on punishment, this Act provides for preventive detention of individuals involved in illicit drug trafficking. It was designed to stop habitual offenders and drug traffickers before they can engage in further illegal activities, thereby strengthening the overall legal framework against drug-related crime.

#### **Section 3 – Power to Detain**

Empowers government to detain persons involved in drug trafficking.

Preventive detention (not punishment-based). Applied to habitual offenders. Aims to stop future criminal activities. Key provision of the Act.

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<sup>5</sup> Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act, 1988 <https://www.indiacode.nic.in/bitstream/123456789/1558/1/A1988-49.pdf>

#### **Section 4 – Execution of Detention Order**

Deals with implementation of detention orders. Authorizes arrest and custody of the detainee. Ensures enforcement of preventive measures. Supports quick action against suspects. Procedural in nature.

#### **Section 9 – Grounds of Detention**

Requires communication of reasons for detention. Must be provided to the detainee. Ensures transparency and fairness. Allows representation by detainee. Protects procedural rights.

#### **Section 10 – Maximum Period of Detention**

Specifies duration of detention (generally up to 1 year). Can vary depending on circumstances. Prevents indefinite detention. Ensures legal limits on state power. Balances security and liberty.

No traditional punishment like imprisonment after trial. Focus is on **preventive detention**. Used against drug traffickers and syndicates. Aims to curb organized crime networks. Complements NDPS Act enforcement.

The PITNDPS Act strengthens India's drug control framework by introducing preventive detention for individuals involved in illicit trafficking. Its focus on prevention rather than punishment makes it a powerful tool against habitual offenders and organized drug networks, though it also raises concerns regarding potential misuse of detention powers.

### **3.5. Customs Act, 1962<sup>6</sup>**

The Customs Act, 1962 plays a vital role in addressing drug trafficking at international borders by penalizing illegal import and export of prohibited goods, including narcotic substances. Section 111 and Section 113 deal with improper importation and exportation of goods, making smuggling of drugs punishable. Section 120 addresses concealment of smuggled goods, while Section 104 empowers customs officers to arrest offenders. The primary penal provision is Section 135, which provides punishment for smuggling and evasion of duty, including imprisonment of up to 7 years along with fines, depending on the gravity of the offence. The Act also provides for seizure and confiscation of drugs, thereby acting as a crucial mechanism to curb cross-border drug trafficking.

#### **a) Section 111 – Improper Importation**

Deals with illegal import of prohibited goods including drugs.

Applies when goods enter India without authorization.

Leads to confiscation of goods.

Forms basis for smuggling cases.

Important in airport and port seizures.

#### **b) Section 113 – Improper Exportation**

Covers illegal export of prohibited goods.

Includes smuggling drugs out of India.

Goods liable for confiscation.

Helps control outward trafficking.

Complements import restrictions.

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<sup>6</sup> Customs Act, 1962 available at

[https://www.indiacode.nic.in/bitstream/123456789/15359/1/the\\_customs\\_act%2C\\_1962.pdf](https://www.indiacode.nic.in/bitstream/123456789/15359/1/the_customs_act%2C_1962.pdf)

**c) Section 120 – Concealment**

- Punishes concealment of smuggled goods.
- Includes hiding drugs in luggage, cargo, or body.
- Common in drug mule cases.
- Shows intent to evade detection.
- Leads to penal consequences.

**d) Section 104 – Power to Arrest**

- Empowers customs officers to arrest offenders.
- Used in drug smuggling cases.
- Ensures quick enforcement at borders.
- Arrest based on reasonable belief.
- Supports investigation process.

**e) Section 135 – Smuggling (Main Penal Section)**

- Primary punishment provision under the Act.
- Covers fraudulent import/export and evasion.
- Punishment up to 7 years imprisonment + fine.
- Severity depends on nature and value of goods.
- Widely used in drug trafficking cases.

**Confiscation & Seizure**

- Smuggled drugs are seized by authorities.
- Goods are confiscated under law.
- Prevents circulation of illegal substances.
- Acts as deterrent.
- Complements NDPS enforcement.

The Customs Act serves as a crucial mechanism in preventing cross-border drug trafficking by regulating imports and exports and penalizing smuggling activities. Its enforcement at borders, airports, and ports strengthens India's ability to intercept illegal drug movements. It effectively complements the NDPS Act by addressing the transnational dimension of drug-related crime.

**2.6. Juvenile Justice Act, 2015<sup>7</sup>**

The Juvenile Justice (Care and Protection of Children) Act, 2015 is a welfare-oriented legislation that deals with children in conflict with law and those in need of care and protection. In the context of drug-related offences, this Act becomes relevant where minors are involved either as users or as carriers in drug trafficking activities. Instead of adopting a purely punitive approach, the Act emphasizes rehabilitation, reform, and social reintegration of juveniles, thereby providing a balanced approach in handling drug-related crimes involving children.

**a) Section 2(13) – Child in Conflict with Law**

- Defines a child alleged or found to have committed an offence.
- Includes juveniles involved in drug offences.
- Basis for applying JJ Act instead of regular criminal law.
- Ensures separate legal treatment.
- Focus on reform rather than punishment.

**b) Section 2(33) – Heinous Offences**

- Defines offences with punishment of 7 years or more.

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<sup>7</sup> Juvenile Justice Act, 2015 available at <https://www.indiacode.nic.in/handle/123456789/2148>

Many NDPS offences fall under this category.  
Determines procedure for trial of juveniles.  
Important in serious drug trafficking cases.  
Affects whether child is tried as adult (in rare cases).

**c) Section 3 – General Principles**

Lays down principles like:  
    Best interest of child  
    Rehabilitation and reintegration  
Applies in drug-related juvenile cases.  
Ensures child-friendly justice system.  
Prevents harsh punishment.

**d) Section 12 – Bail to Juvenile**

Provides for bail to juveniles as a general rule.  
Bail denied only in exceptional circumstances.  
More lenient compared to NDPS Act.  
Focus on care and protection.  
Prevents unnecessary detention.

**e) Section 15 – Preliminary Assessment**

For heinous offences by children aged 16–18.  
Board assesses mental and physical capacity.  
Determines whether child should be tried as adult.  
Relevant in serious drug trafficking cases.  
Ensures careful judicial scrutiny.

**f) Section 18 – Orders Regarding Juveniles**

Provides rehabilitation measures:  
    -Counselling  
    -Community service  
    -Special homes  
No harsh imprisonment like adults.  
Focus on reform and reintegration.  
Key feature of the Act.

**Relevance to Drug-Related Crime**

Addresses use of minors in trafficking networks.  
Recognizes juveniles as victims as well as offenders.  
Promotes rehabilitation over punishment.  
Complements NDPS Act framework.  
Important for criminological analysis.

The Juvenile Justice Act provides a rehabilitative approach in dealing with minors involved in drug-related offences. By focusing on reform, care, and reintegration rather than punishment, it ensures that children are treated with sensitivity while still addressing their involvement in criminal activities.

## **2.7. Prevention of Money Laundering Act 2002<sup>8</sup>**

The Prevention of Money Laundering Act, 2002 is a crucial legislation aimed at combating the laundering of proceeds derived from criminal activities, including drug trafficking. Since the illegal drug trade generates substantial financial gains, this Act plays a significant role in targeting the economic aspect of drug-related crime. It seeks to prevent the process of converting illicit money into legitimate assets and empowers authorities to attach and confiscate properties linked to such offences, thereby weakening the financial backbone of drug trafficking networks.

### **a) Section 3 – Offence of Money Laundering**

Defines the offence of money laundering.

Includes concealment, possession, acquisition, or use of proceeds of crime.

Covers projecting illegal money as legitimate.

Applies to drug trafficking proceeds (scheduled offence).

Core provision of the Act.

### **b) Section 4 – Punishment for Money Laundering**

Provides punishment for offence under Section 3.

Imprisonment:

-Minimum 3 years

-Up to 7 years (can extend to 10 years for NDPS-related cases)

Also includes fine.

Reflects seriousness of financial crimes.

### **c) Section 5 – Attachment of Property**

Allows provisional attachment of property.

Applies if property is linked to proceeds of crime.

Prevents disposal or transfer of assets.

Ensures recovery of illegal gains.

Important for economic control.

### **d) Section 8 – Adjudication and Confiscation**

Provides procedure for confirming attachment.

Authorities can confiscate property after adjudication.

Ensures legal validation of seizure.

Targets assets derived from drug trade.

Strengthens enforcement.

### **e) Section 45 – Bail Provisions**

Contains strict conditions for granting bail.

Court must be satisfied:

-Accused is not guilty

-Not likely to commit offence again

Similar to NDPS strict bail rules.

Makes bail difficult in serious cases.

Reflects stringent approach.

The PMLA addresses the financial dimension of drug-related crime by targeting the proceeds generated through illegal drug trade. By enabling attachment and confiscation of

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<sup>8</sup> Prevention of Money Laundering Act 2002 available at <https://www.indiacode.nic.in/bitstream/123456789/15402/1/moneylaunderingact2002.pdf>

property, it weakens the economic foundation of drug trafficking networks and enhances the overall effectiveness of anti-drug laws in India.

## **Bharatiya Naya Sanhita, 2023<sup>9</sup>**

The Bharatiya Nyaya Sanhita, 2023 (BNS) has replaced the Indian Penal Code, 1860 as the primary criminal law in India. Although drug-related offences are mainly governed by the NDPS Act, the BNS plays a supplementary role in addressing associated criminal activities such as conspiracy, abetment, organized crime, and offences involving violence linked to drug trafficking. It provides a broader framework to deal with the criminal aspects surrounding drug-related offences, especially where such activities intersect with other serious crimes.

### **a) Section 61 – Criminal Conspiracy**

- Covers agreement between two or more persons to commit an offence.
- Applies to organized drug trafficking networks.
- Even planning without execution is punishable.
- Punishment varies based on nature of offence.
- Important in dismantling drug syndicates.

### **b) Section 45 – Abetment**

- Deals with aiding, instigating, or facilitating an offence.
- Applies where a person supports drug-related crime.
- Includes indirect involvement.
- Punishment similar to principal offence.
- Expands scope of liability.

### **c) Section 111 – Organized Crime**

- Addresses activities of criminal groups involved in illegal operations.
- Includes drug trafficking networks.
- Provides stringent punishment.
- Targets large-scale and habitual offenders.
- Important for tackling drug cartels.

### **d) Section 112 – Petty Organized Crime**

- Covers smaller-scale organized criminal activities.
- May include local drug distribution networks.
- Provides comparatively lesser punishment.
- Recognizes different levels of criminal activity.
- Useful in street-level drug offences.

### **e) Section 103 – Murder (if linked)**

- Applies where drug trade leads to homicide.
- Covers intentional killing.
- Punishment includes death penalty or life imprisonment.
- Relevant in violent drug-related crimes.
- Shows seriousness of associated offences.

### **f) Section 117 – Voluntarily Causing Grievous Hurt**

- It applied when there is violence in drug trade.
- When it includes serious bodily injury.

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<sup>9 9</sup> Bharatiya Naya Sanhita, 2023 available at [https://www.mha.gov.in/sites/default/files/250883\\_english\\_01042024.pdf](https://www.mha.gov.in/sites/default/files/250883_english_01042024.pdf)

Then the accused will be Punished with imprisonment and fine. This provision is mostly relevant in gang-related drug conflicts. Which addresses physical harm dimension.

India's approach to drug offenses is multidimensional. While the NDPS Act provides the penal muscle, supplementary laws like the Customs Act and PMLA ensure that the financial and international dimensions of trafficking are not ignored. The Bharatiya Nyaya Sanhita strengthens the system by filling the gaps that specialized drug laws might miss, specifically focusing on organized criminal structures and the violent fallout of the drug trade. By involving the Juvenile Justice Act, the framework acknowledges that not all offenders are the same, providing a nuanced approach for minors and ensuring that social implications are considered alongside criminal ones. Despite a robust theoretical framework, significant hurdles remain. The implementation is often marred by Strict and often controversial bail conditions, The complex burden of proof on the accused, Potential misuse of preventive detention. A persistent lack of emphasis on medical rehabilitation vs. pure punishment. The success of India's drug laws does not lie in the severity of the punishment alone, but in procedural integrity and judicial balance. For the legal system to truly combat this menace, there must be a holistic integration of strict enforcement, social awareness, and reformative justice. Deterrence is necessary, but without reform and policy evolution, the cycle of drug-related crime remains difficult to break

## **Conclusion:**

In conclusion, the legal framework governing drug-related offences in India reflects a comprehensive and multi-dimensional approach aimed at addressing the complex nature of substance abuse and drug trafficking. The Narcotic Drugs and Psychotropic Substances Act stands as the central legislation, providing stringent provisions to control and punish offences relating to narcotic drugs and psychotropic substances. Its strict penal structure and procedural mechanisms demonstrate the seriousness with which the law treats drug-related crimes.

At the same time, other legislations such as the Customs Act and the Prevention of Money Laundering Act expand the scope of control by addressing cross-border trafficking and the financial dimensions of drug crime. Similarly, the Drugs and Cosmetics Act plays a regulatory role in preventing the misuse of pharmaceutical substances, while the Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act introduces preventive detention as a mechanism to curb organized drug trafficking.

Furthermore, laws such as the Juvenile Justice (Care and Protection of Children) Act and the Bharatiya Nyaya Sanhita contribute to the framework by addressing specific aspects such as juvenile offenders, organized crime, and related criminal activities. Together, these laws create a coordinated system that targets not only the act of drug consumption and trafficking but also the broader social, economic, and criminal implications associated with it.

However, despite the existence of such an extensive legal framework, challenges remain in terms of effective implementation, procedural compliance, and balancing strict enforcement with the protection of individual rights. Issues such as harsh bail conditions, burden of proof, misuse of preventive detention, and the need for greater emphasis on rehabilitation continue to be areas of concern.

Therefore, while India's legal framework is robust and comprehensive in theory, its success ultimately depends on effective enforcement, judicial interpretation, and a balanced approach that combines deterrence with reform. A holistic strategy integrating legal control with social awareness, rehabilitation measures, and policy reforms is essential to effectively combat the growing menace of drug abuse and drug-related crime.

## **Recommendations:**

### **1. Shift Towards a Balanced Approach**

The current framework under the Narcotic Drugs and Psychotropic Substances Act is highly punitive.

There is a need to balance strict enforcement with rehabilitation.

Drug users should be treated more as victims of addiction rather than criminals.

### **2. Reform of Bail Provisions**

Section 37 of the NDPS Act makes bail extremely restrictive.

Courts should adopt a more flexible approach, especially for:

- First-time offenders

- Small quantity cases

This will reduce unnecessary pre-trial detention.

### **3. Strengthening Rehabilitation Mechanisms**

Increase focus on de-addiction centres and treatment programs.

Link NDPS provisions with public health policies.

Encourage voluntary treatment under Section 64A.

### **4. Better Coordination Between Laws**

Improve coordination between:

- NDPS Act

- Customs Act

- Prevention of Money Laundering Act

Establish inter-agency task forces for effective enforcement.

### **5. Focus on Financial Investigation**

Strengthen use of PMLA to track drug money and assets.

Target the financial backbone of drug trafficking networks.

Confiscation of proceeds should be made more effective.

### **6. Protection of Procedural Rights**

Ensure strict compliance with safeguards:

- Search and seizure procedures

- Right to fair trial

Prevent misuse of stringent provisions of NDPS Act.

### **7. Special Attention to Juveniles**

Strengthen implementation of the Juvenile Justice (Care and Protection of Children) Act

Prevent use of minors in drug trafficking.

Focus on rehabilitation and social reintegration.

### **8. Awareness and Preventive Measures**

Launch awareness campaigns on:

- Drug abuse risks

- Legal consequences

Focus on schools and colleges.

### **9. Capacity Building of Enforcement Agencies**

Train police, customs, and investigators in:

- Modern drug detection techniques

- Cyber and dark web trafficking

Improve investigation quality and conviction rates.

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