

# **FOR IMMEDIATE RELEASE**

## **10 NOVEMBER 2020**

Dear Editor/Correspondent,

RECOMMENDATION FROM ALLIANCE TO PROTECT DRUG USERS (APDU)  
TO REFORM INDIA'S DRUG POLICY INCLUDING THE NDPS ACT, 1985.

### **Background**

The Government of India has formed a committee to amend the Narcotics Drugs and Psychotropic Substances (NDPS) Act, 1985. The said committee has issued a notice for suggestions, opinions, and views from the public.

The NDPS Act 1985 follows colonial jurisprudence and the 'war on drugs' rhetoric to penalise drug users and addicts along with those involved in the trade and traffic of psychoactive substances. Besides harsh punishment and incarceration, there is also provision for the death penalty under Section 31A of NDPS. This act was enacted to curtail the supply/demand of drugs in the society, but government data clearly indicates an 8 times growth of drug use/abuse in India vis-a-vis the population growth which has not even doubled since 1985.

There are widespread misapprehensions and stigma around drug use/addiction in society due to the limited understanding of the disease of addiction. Though De-Addiction and Rehabilitation Centers are licensed under the Mental Healthcare Act, 2017, addiction is not defined as an illness anywhere in the NDPS Act or the Mental Healthcare Act. India's drug policy focuses on investigating and prosecuting the accused and is not directed towards the protection, care, and rehabilitation of drug addicts. With the aim of re-integrating addicts into mainstream society, there is a scope of formalising the unregulated De-Addiction and Rehabilitation industry in India and promoting its complete inclusion in the formal healthcare sector.

APDU recognizes an immediate need for widespread participation by the public, media, and policymakers to promote a progressive Drug Policy in India which is not based on prejudice or moral biases but grounded in scientific spirit, compassion, health, and human rights.



## Action

Alliance to Protect Drug Users (APDU) has put together key recommendations to reform India's Drug Policy following the call for amendments to the NDPS Act, 1985.

The recommendations are being sent to the committee through email and the e-form made available by it. APDU is calling upon citizens who agree with the recommendations to send them to the committee at this link:

<https://criminallawreforms.in/open-consultation/> before 16 November 2020 (deadline issued by the GoI committee)

## Key Recommendations

- Decriminalise all Drug Consumption.
- Abolish death penalty from the NDPS Act, 1985.
- Remove mandatory minimum sentences for people involved in drug trade at low-level.
- Redirect state funds on treatment and care rather than punishment and incarceration.
- Define addiction as an illness in the NDPS Act, 1985 and the Mental Healthcare Act, 2017.
- Define and further distinguish between drug user, addict, peddler in the NDPS Act, 1985.
- Drug addicts should be treated equally before the law as any other physically or mentally-ill patient.
- Therapeutic Jurisprudence should become the core legal philosophy in India's drug laws.
- Include government and private health insurance cover for drug de-addiction and rehabilitation.
- Formalise the unregulated drug de-addiction and rehabilitation industry and encourage its complete inclusion in the healthcare sector.
- Special de-addiction and rehabilitation centres for juveniles, women, and the LGBTIQ+ community.
- Allocate national funds for a model rehabilitation centre based on the Minnesota/KRIPA model.
- Public awareness campaigns to de-stigmatise drug use/addiction in society and move beyond stereotypes and unjust, zero-tolerance policies.

The detailed recommendations that APDU has sent to the committee is available here:

<https://www.protectdrugusers.com/reform-india-s-drug-policy>



We request you to kindly carry this information through your media outlet in a report/feature and to reach out to us for any further information at:

**lets@protectdrugusers.com** or call us at **+919749826871**

With Best Regards,

Ronny Sen  
Ushinor Majumdar  
Santasil Mallik

### **About APDU**

Alliance to Protect Drug Users (APDU) is committed to promote a progressive understanding of drug addiction and campaign for the care, protection, and rights of drug users/addicts. It envisions a society where drug policies are not based on prejudice or moral biases but are grounded in scientific spirit, compassion, health, and human rights. APDU presently focusses on strengthening affected communities in India and initiating conversations with policymakers, media, and the public.

**For further details, please visit: [protectdrugusers.com](https://protectdrugusers.com)**