

[AS INTRODUCED IN THE SENATE]

A

BILL

further to amend the Control of Narcotic Substances Act, 1997

WHEREAS it is expedient further to amend the Control of Narcotic Substances Act, 1997 (XXV of 1997) for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. Short title and commencement.- (1) This Act may be called the Control of Narcotic Substances (Amendment) Act, 2017.

(2) It shall come into force at once.

2. Amendment of section 9, Act XXV of 1997.- In the Control of Narcotic Substances Act, 1997 (XXV of 1997), in section 9,-

- (i) in clause (a), for the words and commas “, or with fine, or with both” the words “but not less than six months and shall also be liable to fine” shall be substituted;
- (ii) in clause (b), after the words “seven years” the words “but not less than three years” shall be inserted; and
- (iii) in clause (c), after the words “fourteen years” the words “but not less than eight years” shall be inserted.

STATEMENT OF OBJECTS AND REASONS

Where law does not specify any punishment, judges use their discretionary capacity to fix the punishment. Section 9 of the Control of Narcotic Substances Act, 1997, give discretionary powers to the courts established under section 46 of the Act in terms of awarding punishment. Therefore, the minimum limit of punishments is required to be prescribed in order to maintain deterrence against the menace of drugs. This bill endeavours to amend the section 9 of the Control of Narcotic Substances Act, 1997, by specifying and fixing minimum benchmarks for punishments.

The Bill seeks to achieve the above said objectives.

SENATOR CHAUDHARY TANVIR KHAN
Member-in-charge