



## NDPS (Amendment) Bill, 2021

### Why in News

Recently, the **NDPS (Amendment) Bill, 2021** was introduced in the [Lok Sabha](#).

- The bill will amend the **Narcotic Drugs and Psychotropic Substances Act, 1985**.

### Narcotic Drugs and Psychotropic Substances Act, 1985

- The Act **regulates certain operations** - such as manufacture, transport and consumption - related to narcotic drugs and psychotropic substances.
- Under the Act, **financing certain illicit activities** such as cultivating cannabis, manufacturing narcotic drugs or harbouring persons engaged in them is an offence.
- Persons found guilty of this offence will be punished with rigorous **imprisonment of at least 10 years - extendable up to 20 years - and a fine of at least Rs.1 lakh**.
- It also **provides for forfeiture of property** derived from, or used in, illicit traffic in narcotic drugs and psychotropic substances.
- It also provides for death penalty in some cases where a person is a repeat offender.
- The [Narcotics Control Bureau](#) was also constituted in 1986 under the Act.

### Key Points

- **About the Bill:**
  - The bill would **replace an ordinance promulgated earlier this year (2021)** to correct a **drafting error in a 2014 amendment to the Act**.
    - Before the 2014 amendment, **clause (viii-a) of Section 2 contained sub-clauses (i) to (v)**, which defined the term **“illicit traffic”**.
  - In 2014, the Act was amended and the clause number of the **definition for such illicit activities was changed**.
    - However, the **section (27A) on penalty for financing these illicit activities was not amended** and continued to refer to the earlier clause number of the definition.
  - The ordinance **amended the section on penalty** to change the reference to the new clause number.
    - In a recent judgment, [Tripura High Court has held that ‘until the appropriate legislative change occurs](#) by amending **Section 27A of the NDPS Act** appropriately, sub-clauses (i) to (v) of clause (viii-a) of Section 2 of the NDPS Act shall suffer effect of deletion.

### Section 27A of the NDPS Act

- The provision reads that **whoever indulges in financing**, directly or indirectly, any of the activities specified in sub-clauses (i) to (v) of clause (viii-a) of section 2 or harbours any person engaged in any of the aforementioned activities.
- He 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:

- Provided that the court may, for reasons to be recorded in the judgment, impose a fine exceeding two lakh rupees.

### **Reason of Section 27A getting Inoperable**

- The text of the provision says that **offences mentioned under Section 2** (viiiia) sub-clauses i-v are punishable through Section 27A.
  - However, **Section 2 (viiiia) sub-clauses i-v**, which is supposed to be the catalog of offences, **does not exist after the 2014 amendment**.
  - So, if Section 27A penalises a blank list or a non-existent provision, it can be argued that it is virtually inoperable.
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- **Objective of the Bill:**
    - To **help victims of drug abuse** to come out of addiction.
    - To **Decriminalise possession of a limited quantity of drugs** for personal use while regulating certain operations such as manufacturing, transport and consumption of narcotic drugs and psychotropic substances.
  - **Concerns Related to the Bill:**
    - The new provision is **giving retrosp ective effect** from **1<sup>st</sup> May 2014**.
      - That means a criminal provision is given, which will not hold in good law.
    - It also **violates the [fundamental rights in Article 21](#)** because a person can be punished for an offence for which there is a law in existence at the time of commission of the offence.
      - **Article 21 declares** that no person shall be deprived of his **[life or personal liberty](#)** except according to procedure established by law. This right is available to both citizens and non-citizens. [//](#)

# THE HIGHS AND LOWS OF THE NDPS LAW

## HOW ACT EVOLVED

**1985** | Narcotic Drugs and Psychotropic Substances Act enacted to consolidate narcotic drug laws; Act views drug offences seriously and mandates stiff penalties



**1989** | Act amended with strict provisions; sections added include under 27A for 'financing illicit traffic'

> 'Illicit traffic' means production, possession, sale, purchase, transportation, warehousing, use. Rhea is booked under Section 27A

**2001** | Act amended to rationalize sentencing; easy on 'addicts'; bail liberalised;



**UNDER SUSPICION:** Actor Rakul Preet Singh leaves the NCB office after being questioned in connection with the drugs case related to actor Sushant Singh Rajput's death in Mumbai on Friday

## QUANTITY AT PLAY

Act now defines three categories: 'small quantity', 'commercial' and 'more than small but less than commercial'

### PENALTIES FOR POSSESSION:

#### Small quantity

Up to 1 year rigorous imprisonment or fine up to ₹10,000 or both



#### Commercial quantity

10-20 yrs RI and fine of ₹1-2 lakh

#### More than small quantity but less than commercial quantity

Up to 10 years RI, fine up to ₹1 lakh

## DEFINITION OF SMALL AND COMMERCIAL QUANTITIES:

DRUG	SMALL	COMMERCIAL
<b>Stimulants:</b>		
Amphetamine	2g	50g
Cocaine (crack)	2g	100g
<b>Hallucinogens:</b>		
Charas/hashish/marijuana/cannabis	100gm	1kg
Ganja	1kg	20kg
Lysergic Acid Diethylamide (LSD)	0.002g	0.1g
<b>Narcotics:</b>		
Morphine, Heroin (smack/brown sugar)	5g	250g
Fentanyl	0.005g	0.1g
Diazepam, methaqualone (Mandrax)	20g	500g
Methamphetamine	2g	50g
MDMA (ecstasy)	0.5g	10g
Opium	25g	25kg
Buprenorphine, semi-synthetic opiod	1g	20 g
Codeine	10g	1kg

### PROVISION FOR ADDICTS:

> Small quantity in possession attracts immunity from prosecution



> Consumption is an offence under sec 27 of NDPS Act and punishable with imprisonment of up to 1 year (in case of some drugs) or six months (for all other drugs)

> However, addicts volunteering for treatment get immunity under section 64A of the Act

## Initiatives to Tackle Drug Addiction

- **Narco-Coordination Centre:** The **Narco-Coordination Centre (NCORD)** was constituted in 2016 and the scheme of **"Financial Assistance to States for Narcotics Control"** was revived.
- **Seizure Information Management System:** Narcotics Control Bureau has been provided funds for developing a new software i.e. Seizure Information Management System (SIMS) which will create a complete online database of drug offences and offenders.
- **National Drug Abuse Survey:** The government is also conducting a National Drug Abuse Survey to measure trends of drug abuse in India through the Ministry of Social Justice & Empowerment with the help of National Drug Dependence Treatment Centre of AIIMS.
  - **Project Sunrise:** It was launched by the Ministry of Health and Family Welfare in 2016, to tackle the **rising HIV prevalence** in north-eastern states in India, especially among people injecting drugs.
- **NDPS Act:** It **prohibits a person** from producing, possessing, selling, purchasing, transporting, storing, and/or consuming any narcotic drug or psychotropic substance.
  - 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.
- **Nasha Mukh Bharat:** Government has also announced the launch of the **'Nasha Mukh Bharat', or Drug-Free India Campaign** which focuses on community outreach programs.

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# India-Russia Summit

## Why in News

Recently, the **Russian President Vladimir Putin visited India**. At the meeting, India signed many agreements with Russia. The meeting is significant as it was the **first 2+2 meeting between the foreign and defense ministers** of the two countries.

- In April 2021, to build on the common “resilient” ground, [Indian and Russian Foreign Ministers addressed each other’s concerns](#) on a wide range of issues.



## Key Points

- **First Indo-Russia 2+2 Dialogue:** It is the first 2+2 meeting between the foreign and defense ministers of the two countries.
  - India has held a 2+2 format of meetings with member nations of the [Quadrilateral Security Dialogue \(Quad\)](#) — the US, Japan and Australia.
- **Agreement for Kalashnikov Rifles:** The two sides signed two contracts for the manufacture of nearly **600,000 AK-203 rifles** under a joint venture in **Amethi, Uttar Pradesh**.
- **Agreement for Military Cooperation:** The two countries also signed an agreement for military technology cooperation for the next decade, from **2021 to 2031**.
  - India underlined its goal of becoming Russia’s defense development and production partner from just a buyer.
  - The two sides are now looking at expanding the format of exercises to make them more complex as well as Ideas for **expanding India-Russia cooperation In Central Asia**.
- **Moving Ahead on Reciprocal Exchange of Logistics Agreement:** Beyond defense sales, a **Reciprocal Exchange of Logistics Agreement (RELOS)**, as well as a Navy to Navy cooperation MoU are at advanced stages of conclusion.
- **Singing of Military Protocol:** The two countries also signed the Protocol of the 20th **India-Russia Inter-Governmental Commission on Military & Military Technical Cooperation (IRIGC-M&MTC)**.

- The IRIGC-M&MTC “is a well-established mechanism since last two decades” and provides **“a platform to discuss and implement mutually agreed agenda for defense cooperation”**.
- **Go Ahead With S-400 Air Defense System Deal:** India asserted that it follows an “independent foreign policy”, hinting at the US’ [Countering America’s Adversaries Through Sanctions Act \(CAATSA\)](#).
  - This is referred to in the context of supply of [S-400 air defence missile](#) systems which began this month and will continue to happen.
- **Discussion on Geopolitical Hotspots:** The situation in Afghanistan and the Middle East has wider repercussions including for Central Asia.
  - Maritime security and safety is another domain of shared concern.
  - The issue of [China’s aggressive posture along the northern border](#) was also brought up at the meeting.
  - Both the countries proposed greater engagements in Central Asia and the [Indian Ocean Region](#).

## Importance of Russia for India

- **Balancing China:** The Chinese aggression in the border areas of eastern Ladakh, brought India-China relations to an inflection point, but also demonstrated that **Russia is capable of contributing to defusing tensions with China**.
  - Russia **organized a trilateral meeting among the foreign ministers of Russia, India, and China** following deadly clashes in the [Galwan Valley in the disputed territory of Ladakh](#).
- **Emerging New Sectors of Economic Engagement:** Apart from traditional areas of cooperation such as weapons, hydrocarbons, nuclear energy, and diamonds, new sectors of economic engagement are likely to emerge — **mining, agro-industrial, and high technology, including robotics, nanotech, and biotech**.
  - India’s footprint in the **Russian Far East and in the Arctic** is set to expand. Connectivity projects may get a boost too.
- **Combating Terrorism:** India and Russia are working to close the gap on Afghanistan and are calling for early finalization of the [Comprehensive Convention on International Terrorism](#).
- **Support At Multilateral Forums:** Additionally, Russia supports India’s candidacy for permanent membership of a reformed [United Nations Security Council](#) and of the Nuclear Suppliers Group.
- **Russia’s Military Exports:** Russia has been **one of the largest arms exporters to India**. Even as Russia’s share in India’s arms imports fell by over 50% in the last five-year period compared to the previous five years (2011-2015).
  - In the last 20 years, India imported arms and weapons worth USD 35 billion from Russia, according to the Stockholm International Peace Research Institute which tracks global arms trade.

## Way Forward

- **Russia To Provide Timely Maintenance Support:** Timely supply of spares and support to the large inventory of Russian hardware in service with the Indian military has been a major issue from India.
  - To address this, Russia has made legislative changes allowing its companies to set up joint ventures in India to address it following an Inter-Governmental Agreement signed in 2019.
  - This agreement **needs to be implemented in a time bound manner**.
- **Acknowledging Importance of Each Other:** Russia will remain a key defense partner for India for decades to come.
  - On the other hand, Russia and China are currently in a quasi-alliance setup. Russia

repeatedly reiterates that it does not see itself as anybody's junior partner. That's why **Russia wants India to act as a balancer.**

- **Joint Military Production:** The two countries have been discussing how they can cooperate in using India as a production base for exporting to third countries Russian-origin equipment and services.

[Source: IE](#)

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## Reports of Global Arms Trade: SIPRI

### Why in News

According to a report by [Stockholm International Peace Research Institute \(SIPRI\)](#), which tracks global arms trade, three Indian companies are among the **world's top 100 for combined arms sales in 2020.**

- The three Indian companies are **Hindustan Aeronautics Limited (HAL)**, **Indian Ordnance Factories**, and [Bharat Electronics Limited \(BEL\)](#).
  - The **three were ranked among the top 100 in arms sales in 2019 as well.**

### The Stockholm International Peace Research Institute

- The SIPRI is an **independent international institute** dedicated to research into conflict, armaments, arms control and disarmament.
- **Established in 1966 at Stockholm**, SIPRI provides data, analysis and recommendations, based on open sources, to policymakers, researchers, media and the interested public.

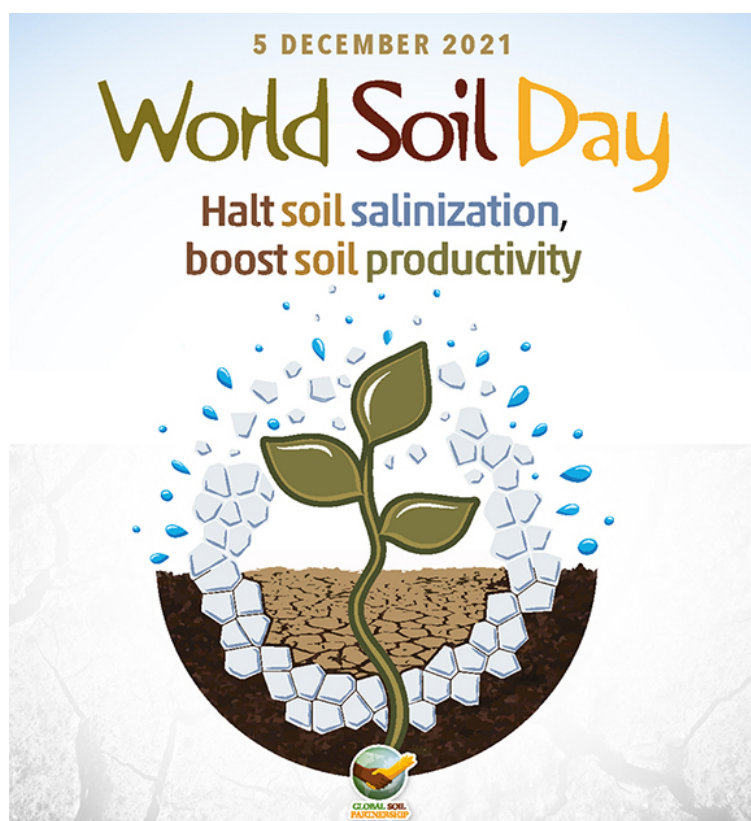
### Key Points

- **Top Countries:**
  - **The USA has the highest number** of companies in the top 100 worldwide.. Together, their arms sales amounted to USD 285 billion, an increase of 1.9 % compared with 2019.
  - **China was second** at 13 %, **followed by the UK** at 7.1 %.
  - **Russia and France were fourth and fifth** with 5 % and 4.7 % respectively of the combined arms sales for the top 100 companies.
- **Indian Companies:**
  - **Indian Ordnance Factories are at the 60<sup>th</sup> spot**, with USD 1.9 billion in sales, up 0.2 % from the previous year.
  - **HAL is at number 42** with USD 2.97 billion, up 1.5 % from 2019 sales.
  - **BEL is ranked 66**, with USD 1.63 billion in arms sales, up 4 % compared to 2019.
    - **India's share of arms sales globally in 2020 was 1.2 %.** Their aggregated arms sales of USD 6.5 billion were 1.7 % higher in 2020 than in 2019" and accounted for 1.2 % of the top 100 total.
- **Factors for Increasing India's Share in Arm Sales:**
  - **Domestic procurement** has helped to shield Indian companies against the negative economic consequences of the pandemic.
  - In 2020, the Indian Government announced a [phased ban on imports of more than a hundred different types of military equipment](#) to support domestic companies and enhance self-reliance in arms production.

## World Soil Day

### Why in News

Recently, [ICAR \(Indian Council of Agricultural Research\)](#) – Central Coastal Agricultural Research Institute (CCARI) celebrated '[World Soil Day](#)' (WSD) on 5th December 2021.



### Key Points

- It was recommended by the **International Union of Soil Sciences (IUSS) in 2002**. The [Food and Agriculture Organisation \(FAO\)](#) has supported the formal establishment of WSD as a global awareness-raising platform under the leadership of the Kingdom of Thailand within the framework of the Global Soil Partnership.
- **5<sup>th</sup> December 2014 was designated as the first official WSD** by the [UN General Assembly \(UNGA\)](#).
  - 5<sup>th</sup> December was chosen **because it corresponds with the official birthday of H.M. King Bhumibol Adulyadej**, the King of Thailand, who officially sanctioned the event.
- **FAO gives two awards in line with this day:**
  - **The King Bhumibol World Soil Day Award:** An annual award that **honours individuals, communities, organizations and countries** that organized remarkable and engaging World Soil Day activities or campaigns in the previous year.
  - **The Glinka World Soil Prize:** An annual award for dynamic change-makers dedicated to solving one of our world's most pressing environmental issues: soil degradation. It honors individuals and organizations whose leadership and activities have contributed, or are still

contributing to the promotion of sustainable soil management and the protection of soil resources.

▪ **India Initiatives to Improve Soil Health:**

- [Soil Health Card Scheme](#)
- [Organic Farming](#)
- [Paramparagat Krishi Vikas Yojana](#)
- [Fertilizer Self-Sufficiency](#)
- [Digital Agriculture](#)
- [Carbon Farming](#)
- [The Nutrient Based Subsidy \(NBS\) Scheme](#)

[Source: PIB](#)

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## Vertical Launch Short Range Surface to Air Missile: DRDO

### Why in News

The [Vertical Launch Short Range Surface to Air Missile \(VL-SRSAM\)](#) was successfully flight tested by the [Defence Research & Development Organization \(DRDO\)](#) for the second consecutive time since February this year.

- It was launched from the **Integrated Test Range** at **Chandipur**.

### Key Points

▪ **About the VL-SRSAM:**

- It is a **quick reaction surface-to-air-missile** indigenously designed and developed by DRDO for the [Indian Navy](#), is **meant for neutralising various aerial threats at close ranges, including sea-skimming targets**.
- The missile has an **operational range of 50 to km distance and features mid course inertial guidance through fiber optic gyroscope** and active radar homing in terminal phase
- The launch of the system was **conducted to validate integrated operation of all weapon system components**, including the vertical launcher unit with controller, canisterised flight vehicle and weapon control system.
  - The successful testing of these systems is crucial for future launches of the missile from [Indian Naval](#) ships.
- It will **further boost the defence capability of Indian Naval Ships against aerial threats**. It has also paved the way for integration of weapon systems onboard the Indian naval ships.

▪ **Developed By:**

- The key DRDO facilities that contributed to the development of the system are the **Defence Research and Development Laboratory (DRDL)** and **Research Centre Imarat (RCI)**, both from Hyderabad, and **Research & Development Establishment (Engineers)**, based at Pune.

### Defence Research & Development Organization:

- It is the Research & Development wing of the **Ministry of Defence**, with a vision to empower



India with cutting-edge defence technologies.

- It was established in 1958 after combining the Technical Development Establishment (TDEs) of the Indian Army and the Directorate of Technical Development & Production (DTDP) with the Defence Science Organization (DSO).
  - Source: IE
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