

DRUG LAW ENFORCEMENT IN PUNJAB: LEGAL, INSTITUTIONAL AND POLICY CHALLENGES

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ABSTRACT

Punjab, an international border state in north-western India, has for over two decades been characterised as one of the epicentres of India's narcotics crisis. This paper undertakes a doctrinal and policy-analytical review of drug law enforcement in Punjab under the Narcotic Drugs and Psychotropic Substances (NDPS) Act, 1985, examining how legal architecture, institutional capacity and public policy interact to shape enforcement outcomes. Drawing on statutory provisions, reported rulings of the Punjab and Haryana High Court, the study traces the evolution of enforcement institutions from the Special Task Force to the Anti-Narcotics Task Force (ANTF). Results show that while reported conviction rates under the NDPS Act increased significantly between 2022 and 2026, case registrations decreased during about the same time period, raising concerns about the accuracy of enforcement statistics. The analysis identifies four recurring challenges: judicially noted investigative weaknesses and a suspected police–accused nexus in bail proceedings; a persistent bias toward prosecuting low-level peddlers rather than organised trafficking networks; unresolved tension between the Act's punitive architecture and harm-reduction interventions such as opioid substitution therapy; and the rapid growth of cross-border drone-based trafficking that has outpaced existing coordination mechanisms. The study argues that legal reform, institutional retraining, professionalisation policy should be undertaken together, rather than as alternatives, to ensure that enforcement improvements result to a sustainable decline in the underlying narcotics problem.

Keywords: NDPS Act 1985; Punjab; drug law enforcement; narcotics policy; harm reduction; Anti-Narcotics Task Force; NCORD; cross-border trafficking; opioid substitution therapy

1. INTRODUCTION

Punjab shares a long international border with Pakistan and sits close to the historical trafficking routes of the so-called Golden Crescent, factors that have combined with domestic socio-economic stress to make the state a persistent focal point of India's narcotics problem. A ten-year narrative review of official and public-health data found more than 51,000 cases registered under the NDPS Act and over 4,600 kilograms of heroin seized in Punjab between 2015 and 2024, alongside a 2022 population survey in which 15.4 percent of respondents reported some form of substance use; the same body of evidence placed the number of opioid-dependent persons in the state at roughly 230,000 as early as 2015. The scale and persistence of the problem has repeatedly drawn judicial attention: over the past decade the Punjab and Haryana High Court has, in a succession of separate rulings, described the situation using escalating language — from a menace that the state could "ignore only at its own peril" to one that had come to threaten public order, national security and the rule of law itself.

Against this backdrop, the state government has undertaken significant institutional restructuring, most visibly the conversion of the erstwhile Special Task Force (STF) into the Anti-Narcotics Task Force (ANTF) in February 2025, and the subsequent designation of the ANTF as Punjab's NCORD (Narco-Coordination Centre) secretariat in 2026. Alongside this institutional reorganisation, the state launched the 'Yudh Nashian Virudh' (War Against Drugs) campaign in March 2025, combining intensified enforcement with a statutory immunity-and-treatment pathway for drug users under Section 64A of

the NDPS Act. These developments raise a central research question that this paper seeks to address: to what extent do the legal framework, institutional design and current policy mix in Punjab address the structural drivers of the narcotics problem, as opposed to generating enforcement statistics that may not correspond to a underlying reduction in trafficking or dependence?

2. LEGAL FRAMEWORK

The principal statute governing narcotics control in India is the Narcotic Drugs and Psychotropic Substances Act, 1985, a prohibition-oriented law that grades offences by the quantity of the contraband involved — small, intermediate ('other') and commercial quantity — with correspondingly graded, and in the case of commercial quantity, stringent minimum sentences. The Act incorporates a reversed evidentiary burden: once possession is established, Sections 35 and 54 permit courts to presume the requisite culpable mental state and unlawful possession unless the accused proves otherwise, while Section 37 imposes twin conditions on bail that require a court to be satisfied there are reasonable grounds to believe the accused is not guilty and is unlikely to reoffend before bail can be granted in commercial-quantity cases. The Narcotic Drugs and Psychotropic Substances (Amendment) Act, 2001, introduced the quantity-based sentencing structure with the stated aim of distinguishing addicts and small peddlers from organised traffickers, and Section 27 separately provides a comparatively lenient punishment for consumption offences.

A distinct strand of the framework addresses treatment rather than punishment. Section 64A empowers the government to grant immunity from prosecution to addicts charged with consumption or small-quantity possession offences where they volunteer for de-addiction treatment — the provision underpinning Punjab's current immunity-and-diversion policy. The Narcotic Drugs and Psychotropic Substances Rules, 2011 first allowed licensing of private de-addiction centres in Punjab, and the state has since layered further subordinate legislation onto this base, most recently the Punjab Substance Use Disorder Treatment and Counselling and Rehabilitation Centres Rules, 2025, intended to regularise the dispensing of substitute medicines such as buprenorphine and curb their diversion into illicit markets. At the same time, the National Policy on NDPS restricts harm-reduction measures inside correctional facilities, barring needle-exchange programmes and long-term opioid substitution therapy for prison inmates — a restriction that clinicians and public-health researchers have characterised as resting on a limited understanding of dependence and as undermining the effectiveness of substitution treatment more broadly.

3. METHODS

This study adopts a doctrinal and policy-analytical design rather than a primary empirical one. It combines (a) doctrinal analysis of the NDPS Act, 1985 and its amendments, the associated central and Punjab-specific rules, and reported judgments of the Punjab and Haryana High Court bearing on bail, investigation quality and sentencing in NDPS matters; with (b) analysis of secondary quantitative data drawn from Ministry of Home Affairs replies to Parliament, National Crime Records Bureau figures as reported in the press, Punjab Police and Anti-Narcotics Task Force press statements, and a peer-reviewed ten-year narrative review of substance-use trends in Punjab published in *Discover Public Health* (2025). Government and clinical policy sources — including a Punjab Government de-addiction strategy document and clinical commentary on opioid substitution therapy — were used to assess the treatment side of the policy mix, and investigative and daily press reporting (principally *The Tribune*, *Outlook India* and allied outlets) was used to identify judicial commentary and enforcement developments not captured in official datasets.

The reference period covers 2015 to August 2026, reflecting the availability of the ten-year narrative review at the earlier end and the most recent published enforcement statistics at the later end. The

approach has clear limitations: it relies on secondary and official data that may be subject to reporting or political bias, particularly figures released by the state government during an active anti-drug campaign; it does not incorporate primary interviews with law-enforcement personnel, the judiciary or persons who use drugs; and given the pace of institutional change in this field, some figures reported here — particularly for the 2025–2026 period — should be read as provisional rather than final.

4. RESULTS

4.1 Case registration and conviction trends

NDPS case registrations in Punjab declined over the three years for which comparable Ministry of Home Affairs data are available, even as the state continued to rank second nationally, behind Kerala, in the absolute number of cases registered.

Year	NDPS cases registered	Cases decided	Convictions
2022	12,423	4,812	3,870
2023	11,564	6,976	5,635
2024	9,025	7,281	6,219
2025	n/a*	7,373	6,488
2026 (partial, to date)	n/a*	1,831	1,634

Full-year registration figures for 2025 and 2026 had not yet been finalised in official National Crime Records Bureau/Ministry of Home Affairs releases as of the writing of this paper.

Source: compiled from Ministry of Home Affairs replies to Parliament (reported in The Tribune, March 2025) and Punjab Police data reported in The Print and India TV News (April 2026).

4.2 The 'Yudh Nashian Virudh' campaign and Section 64A immunity

Between the campaign's launch on 1 March 2025 and 6 July 2026, Punjab Police registered 51,516 FIRs under the NDPS Act and arrested 67,519 persons. Over the same period, 10,656 persons accused of consumption or small-quantity possession offences were granted immunity from prosecution under Section 64A and diverted into government-run de-addiction and rehabilitation programmes rather than facing trial, reflecting what officials describe as a 'twin approach' combining enforcement against traffickers with treatment for users.

4.3 Institutional restructuring

The state's primary specialised narcotics unit was reconstituted from the Special Task Force into the Anti-Narcotics Task Force (ANTF) in February 2025, with its sanctioned strength more than doubled from approximately 400 to 861 personnel. The ANTF was subsequently designated Punjab's State NCORD Secretariat, formally making it the nodal body for inter-agency intelligence sharing, monitoring of anti-drug operations and coordination between state and central enforcement agencies. Reported state investment in ANTF modernisation — surveillance systems, the Crime and Criminal Tracking Network and Systems (CCTNS), cyber-intelligence and digital-investigation tools — totalled over ₹37 crore across the 2024–25 and 2025–26 financial years, with dedicated technical and intelligence complexes operational in Patiala, Jalandhar and Bathinda and further facilities under construction in Ludhiana and Ferozepur.

4.4 Cross-border and drone trafficking

According to the Narcotics Control Bureau's 2025 report, 305 drone-based drug-trafficking incidents were detected along the Indo-Pakistan border in 2025, resulting in the seizure of 468 kilograms of narcotics — a 98 percent increase in quantity seized over 2024. Punjab and Haryana High Court judgments delivered in 2025 and 2026 specifically identified the Attari–Wagah corridor and other riverine and agricultural border stretches in Amritsar and Tarn Taran districts as high-risk trafficking routes, with one bench characterising the unabated cross-border inflow of commercial-quantity psychotropic substances as an 'existential threat' to public health, national security and the state's social fabric.

4.5 De-addiction and harm-reduction infrastructure

Period	Govt. de-addiction centres	OOAT clinics	Private centres	Patients under treatment
2019	35	181	n/a	>1,00,000
2020	35	198	108 (licensed)	n/a
2022–23	36	528	185	8,74,000

Source: compiled from Punjab Government/Hindustan Times reporting (2019–2020) and The Tribune (2022–23).

Government data reported in 2022–23 indicated that only 244 patients in the private sector and approximately 4,000 patients in government centres had completed opioid substitution therapy and been weaned off buprenorphine between 2017 and 2022, out of a treated patient base numbering in the hundreds of thousands, alongside reported annual consumption of 20–25 crore buprenorphine-naloxone tablets across government and private facilities. Separately, in 2018 the state government constituted a committee to investigate approximately five crore tablets recorded as missing from the online registry of licensed private de-addiction centres, following notices issued to twenty-three centres and one pharmaceutical company under the NDPS Act.

5. DISCUSSION

5.1 Legal challenges

The reverse-burden and restrictive-bail provisions of the NDPS Act are designed to deter trafficking, but their operation in Punjab has produced documented side effects. In 2023 the Punjab and Haryana High Court, while granting bail, observed that repeated non-appearance of police officials as witnesses before trial courts raised a reasonable suspicion of an 'unholy nexus' between accused persons and investigating officers aimed at prolonging incarceration until bail could be secured on delay grounds — an outcome the strict bail regime was intended to prevent. Separately, in 2024 a Division Bench found investigation quality in NDPS matters in Punjab and Haryana 'extremely faulty' by comparison with Himachal Pradesh, directing that investigating officers be sent for mentoring at a neighbouring state's training centre. Read together, these judicial findings suggest that the rising trial-court conviction rate reported by the state (Section 4.1) coexists with unresolved procedural weaknesses that could affect the durability of convictions on appeal, a distinction the state's own conviction-rate statistics do not capture.

A second legal challenge concerns the distinction the 2001 amendment sought to draw between addicts or small peddlers and organised traffickers. In May 2026, the Supreme Court of India was

reported to have criticised the Punjab government for enforcement action that remained concentrated on small peddlers while the larger trafficking networks behind them continued to operate largely undisturbed — a criticism consistent with the pattern, evident across the High Court judgments reviewed for this paper, of NDPS jurisprudence developing overwhelmingly through individual bail applications rather than through the prosecution and conviction of organisers of trafficking networks.

5.2 Institutional challenges

The conversion of the Special Task Force into the Anti-Narcotics Task Force and its subsequent designation as State NCORD Secretariat represents a genuine consolidation of coordinating authority, but it does not, by itself, resolve the multiplicity of agencies operating in the same enforcement space. Border Security Force personnel, the Assam Rifles, the Sashastra Seema Bal and the Railway Protection Force have each separately been empowered under the NDPS Act to conduct search, seizure and arrest, alongside the Narcotics Control Bureau, Punjab Police and now the ANTF-led NCORD structure. Effective coordination among this number of agencies, several with independent chains of command, is an organisational challenge that formal secretariat status addresses only partially.

Institutional integrity is a related and longer-standing concern. Historical episodes — including the prolonged 2014 case involving a former Deputy Superintendent of Police that pointed to alleged political involvement in the drug trade, the detention of a Superintendent-rank officer following a security incident near the border, and more routine instances of local police officers implicated in facilitating the release of accused traffickers — indicate that police-drug nexus concerns in Punjab predate, and are not resolved simply by, the recent investment in technology and manpower. The Chief Minister's own public instruction to enforcement agencies in 2022 that no politician or officer found colluding with the drug trade would be spared underscores that this remains a live institutional risk rather than a historical footnote.

5.3 Policy challenges

The Section 64A immunity-and-treatment pathway operationalised through 'Yudh Nashian Virudh' marks a genuine policy shift toward treating at least some drug use as a public-health rather than purely criminal-justice issue, consistent with harm-reduction approaches adopted elsewhere. However, the scale of buprenorphine diversion documented in Section 4.5 — missing tablets, high annual consumption relative to the number of patients who complete treatment, and very low weaning rates over the 2017–2022 period — suggests that the treatment infrastructure underpinning this policy has significant fidelity and monitoring gaps. Clinical commentary reviewed for this paper has specifically attributed part of the problem to a fourteen-day cap on take-home doses of substitution medicine, arguing that this restriction undermines retention in treatment without a clear clinical justification, and to the broader restriction on long-term opioid substitution therapy inside correctional facilities under the National Policy on NDPS.

A further policy tension arises from the coexistence of rising enforcement metrics with an expanding and technologically adaptive trafficking ecology. The 98 percent year-on-year increase in the quantity of narcotics seized from drone-based smuggling in 2025 indicates that traffickers are adapting more quickly to ground-level enforcement gains than existing institutional coordination mechanisms can match, a gap that conviction-rate statistics alone do not reveal. Finally, the simultaneous decline in case registrations and rise in conviction rates over 2022–2026 is consistent with more than one explanation — improved case selection and prosecutorial focus, a shift of policing effort toward the immunity-and-diversion track for low-level offences, or a genuine reduction in enforcement activity — and the published data do not allow these possibilities to be distinguished. This is itself a policy-

relevant finding: without more granular and independently verified reporting, headline enforcement statistics offer an incomplete basis for evaluating whether the underlying narcotics problem in Punjab is receding.

CONCLUSION

Punjab's drug-control regime has, over the period reviewed, developed into a more centralised, better-resourced and statistically more 'successful' enforcement architecture, evidenced by the creation of the Anti-Narcotics Task Force, its designation as State NCORD Secretariat, and a reported rise in NDPS conviction rates to among the highest in the country. At the same time, this paper's review of legal, institutional and policy sources indicates that these gains coexist with unresolved investigative weaknesses repeatedly flagged by the Punjab and Haryana High Court, a persistent enforcement bias toward low-level offenders rather than organised networks, documented weaknesses in the fidelity of opioid substitution treatment programmes, and a cross-border trafficking ecology that is adapting faster than existing coordination mechanisms. On the basis of this analysis, the paper offers five policy recommendations: first, an independently empowered oversight mechanism for anti-corruption vigilance within narcotics enforcement agencies, distinct from ordinary departmental disciplinary channels; second, investigative-capacity building measured against evidentiary and appellate-survival standards rather than case-volume or first-instance conviction statistics; third, a clinically informed revision of restrictive opioid substitution therapy rules, including the take-home-dose limit and the prohibition on long-term substitution therapy in prisons; fourth, development of a dedicated, technology-sharing cross-border coordination mechanism responsive specifically to drone-based trafficking; and fifth, independent monitoring and public reporting of treatment outcomes — not merely enrolment numbers — under the Section 64A immunity-and-diversion scheme. Future research incorporating primary interviews with enforcement personnel, the judiciary and treatment-programme beneficiaries would substantially strengthen the evidentiary basis for these recommendations, which the present secondary-source-based review is not in a position to establish conclusively.

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