

# Establishment of Centres for Treatment and Rehabilitation of Addicts Rules, 2001

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**S. R. O. 769 (I)/2001, dated 03-11-2001.**---In exercise of the powers conferred by sub-section (1) of section 77 of the Control of the Narcotic Substances Act 1997 (XXV of 1997) read with sections 52 and 53 thereof, the Federal Government is pleased to make the following rules, namely:--

**1. Short title and commencement.**---(1) These rules may be called the Establishment of Centres for Treatment and Rehabilitation of Addicts Rules, 2001.

(2) They shall come into force at once.

**2. Definitions.**---In these rules, unless there is anything repugnant in the subject or the context.

(a) "Act" means the control of Narcotics Substances Act, 1997 (XXV of 1997);

(b) "addict" means a person physically or mentally dependent on any narcotic drug or psychotropic substance or a person who habitually uses narcotic drugs or psychotropic substances;

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- (c) "Centre" includes any hospital, dispensary or any other facility located anywhere including jails or other such places, premises established as such by the Provincial Government for the purposes of de-toxication, de-addiction, education, aftercare, rehabilitation, social integration of addicts and for supply of such medicines as are considered necessary for the de-toxication of the addicts;
- (d) "detoxification" includes any effort in any form directed at helping an addict to get rid of his addiction;
- (e) "registration" means the registration of persons who are enrolled addicts ; and
- (f) "registration card" means a Registration card issued by Provincial government to habitual users to narcotic drugs or psychotropic substances.

(2) The words and expression used but not defined in these rules shall have the same meaning as assigned to them under the Act.

**3. Registration of Addicts.**---(1) Each Provincial Government shall make arrangements for registration of addicts within the areas of their respective jurisdiction registration for the purposes of treatment and rehabilitation of addicts and shall issue a registration card to each addict.

(2) Expenditure incurred for the first time in connection with registration and detoxification of an addict shall initially be borne by the Provincial Government and refund of such expenditure shall be claimed from the Federal Government in the usual manner in which governmental accounts are settled.

(3) In respect of relapse cases the addict shall be treated like an ordinary patient getting usual treatment in Government hospital.

(4) All centres, hospitals and health-care facilities including basic and rural Health units, dispensaries, including those established in jails shall deem to be Centres for the treatment and rehabilitation of addicts and sufficient number of beds and other facilities shall be provided to the addicts.

**4. Determination of the number of addicts.**---It being of crucial importance, appropriate arrangements shall be made by the Federal Government to determine their numbers and other particulars considered

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necessary in every future national census, in consultation with the Narcotics Control Division:

Provided that the Federal Government may seek assistance of the Provincial Governments in compilation of the required information for determination of the number of addicts.

### **5. Addicts to be treated as patients and not criminals.--**

-The addicts registered for the purpose of treatment and rehabilitation shall ordinarily be treated as patients and not as criminals depending upon the progress made by each individual patient.

### **6. Seeking help from private sectors.---**

It shall be lawful for the Provincial Governments to seek the help of the private sector including voluntary social welfare agencies registered under the Voluntary Social Welfare Agencies (Registration and Control) Ordinance 1961 (XLVI of 1961) for the purposes of serving the objectives of these rules. The Centres in the private sector shall also be regulated in the same manner as provided in these rules.

### **7. Detention of suspected drug dependents for tests.---**

An officer of a law enforcing agency may take into custody any person whom he reasonably suspects to be an addict and hand him over without delay to the nearest Centre for the purpose of tests and treatment by a government medical officer, or by a registered medical practitioner or by any person working under the supervision thereof. The Head of the Centre shall decide on the further treatment and related matters of the case.

## **CHAPTER II**

### **TREATMENT AND REHABILITATION OF ADDICTS WHO VOLUNTEER**

**8. Procedure for treatment and rehabilitation of addicts who volunteer for same.---**(1) Any person who is an addict may apply for treatment to the Rehabilitation Centre who shall be provided with treatment and rehabilitation in respect of his drug dependency.

(2) Where a person makes an application to the incharge of the centre he shall as soon as possible make arrangements for the applicant to undergo tests.

(3) Where in consequence of the tests such person is certified by a government medical officer or a registered medical practitioner to be an addict, the Centre shall decide whether such person shall---

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- (a) undergo treatment and rehabilitation at the Centre and thereafter undergo aftercare in accordance with the provisions of these rules; or
- (b) Be placed under the supervision of the Centre and shall be subject to the condition that he shall abstain from narcotic drugs, psychotropic substances, and controlled substances, and may also be subject to such other conditions as the Centre may consider necessary to specify for the purpose of securing such supervision and such conditions which may include conditions such as to residence, employment, associations abstention from toxicating liquor or attendance at the day Centre.

(4) If the applicant agrees to undergo treatment the Rehabilitation Officer, before the decision is put into effect, the applicant shall execute a bond in the prescribed form for such an amount as may be specified in it and with such surety or sureties as may be determined by the Rehabilitation Officer on such terms and conditions requiring the applicant to pay such amount as may be specified towards his maintenance, treatment and rehabilitation.

(5) Where a person who is undergoing treatment at a Centre commits a breach of any of the terms of the bond executed by him under sub-rule (4), he and any surety to the bond shall be liable to forfeit to the Government the amount or such portion thereof as the Director-General may deem fit and shall be recovered from them.

**9. Procedure for treatment and rehabilitation of an addict who is a minor and for whom assistance is sought.**---(1) Any person or guardian of a minor whom the parent or guardian suspects, or has reason to believe to be an addict shall apply to the Centre for the treatment and rehabilitation of such minor by the government medical officer, or by registered medical practitioner or any person working under their supervision.

(2) Where a minor is produced in the Centre and such minor applies for treatment and rehabilitation by the parent or guardian of the minor shall make the application in such form as may be prescribed or on plain paper. Further that separate facilities shall, as far as possible, be established for the treatment of the minor addicts:

Provided that the bond required to be executed under sub-rule (4) of 8 shall be executed by the parent or guardian of the minor who made the application under sub-rule (1).

**10. Issue of certificate.**---On completion for the first time detoxification or de-addiction, every addict shall be given a certificate mentioning the dates duration and nature of the treatment.

### CHAPTER III

#### CENTERS FOR TREATMENT AND REHABILITATION

**11. Centers for treatment and rehabilitation.**---(1) The Centre shall be sufficiently staffed by adequately trained professionals from among members of the medical profession and to help cope with the problems on an enduring basis by professionals having sufficient expertise in the matter, who may be separately encadred under existing service laws so ensure continuity.

**12. Board of the visitors.**---The Federal Government or the Provincial Government, as the case may be, shall, in respect of each Centre, appoint a Board of visitors who shall have powers to discharge all such duties and perform all such functions and shall advise and make recommendations on all matters which the Director-General, Anti Narcotics Force, may refer to them.

**13. Supply of information.**--- Any persons having knowledge of a case of an addict or a person making illicit use of narcotic drugs or psychotropic substances or controlled substances shall refer the matter to the nearest Centre or the Director-General.

**14. Composition of the Board.**---The Board of visitors shall consists of such members as the Federal Government may determine and --

- (i) of the total appointed members, there shall be sufficient number of women, if necessary, and at least one shall be a registered medical practitioner;
- (ii) the appointment of a member shall be for a period of not exceeding three years but any member may be re-appointed;
- (iii) the Federal Government may, at any time, revoke the appointment of any member without assigning any reason and any member may at any time resign his membership;
- (iv) the Federal Government may appoint a member to replace any member whose appointment has been revoked or who has resigned and may at any other time appoint any person to be an additional member;

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- (v) the Federal Government shall appoint one of the members to be the Chairman;
- (vi) The Head of an Institution governing the Centre shall appoint a member of the staff to act as an executive Secretary to the meetings of the Board;
- (vii) the executive secretary shall inform the government of any vacancy arising in the membership of the Board ;
- (viii) The Board shall meet at least once after three months;
- (ix) every meeting shall be held at the Centre for which the Board is appointed;
- (x) the Chairman or, in his absence, a member nominated by the members present shall preside at the meeting;
- (xi) the executive secretary shall given notice of every meeting to the members and the Director-General;
- (xii) the Head of the treatment Centre shall be present at every meeting of the Board and shall consider his view regarding any matter relating to the Centre and the residents thereof;
- (xiii) in the absence of the Head of the treatment Centre, his deputy or any officer authorized by him shall perform his functions;
- (xiv) the Board may invite any public officer to attend any of its meetings;
- (xv) on-third of the member shall form a quorum;
- (xvi) any questions arising at a meeting shall be decided by a majority of votes;
- (xvii) each member present shall be entitled to one vote, and in the event of any quality of votes the Chairman or the member presiding shall have a casting vote;
- (xviii) the Board may appoint from among its members a committee or committees to perform any of its duties or function;
- (xix) the Board shall specify the duties and functions of every committee so appointed;

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- (xx) the Board and its committees shall keep minutes of their meetings and copies thereof shall be forwarded to the Director-General as soon as possible;
- (xxi) members of the Board shall satisfy themselves that the maintenance, recreation and discipline of the residents are satisfactory and that an efficient standard is maintained throughout the Centre, but shall not interfere with the general administration of the Centre;
- (xxii) any members not satisfied with the conditions relating to the maintenance, recreation and discipline of the residents shall bring the matter to the notice of the Head of the Institution of the training Centre;
- (xxiii) the Head of the training Centre shall take such action as may be necessary on such matters as recommended and report to the Board and the Director-General;
- (xxiv) the Centre shall at all times be open to any member;
- (xxv) not less than two members shall visit the Centre at least once in a month;
- (xxvi) members on visit shall hear complaints which any resident may wish to make to them;
- (xxvii) member visiting the Centre shall make a report of the condition and any other matter relating to the Centre at the meeting of the Board;
- (xxviii) the Board shall bring to the notice of the Director-General any defect in the administration of the Centre, any neglect regarding the welfare of any residents or any breach or non-observance of the rules;
- (xxix) the Board shall make recommendations to the Director-General on any matter relating to the Centre, and the Director-General shall, if the Board so requests, forward the recommendations to the Federal Government; and
- (xxx) the Federal Government may direct the Board to perform any duty or function as it thinks necessary from time to time.

**15. After Care.**---(1) An addict who has been discharged from a Centre shall, immediately upon such discharge, undergo aftercare by a

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Centre or non-governmental organization as the Director General may designate for a period of two years.

(2) A person undergoing aftercare shall be required by a Board of visitors to comply with such conditions as it may specify.

(3) The Board of visitors may, at any time, after considering such report of a person subject to aftercare as may be submitted to it by the Centre or nongovernmental organization make such variations to the terms and conditions as it may deem fit.

**16. Private Centre for treatment and rehabilitation and for aftercare.**---(1) The Federal Government or a Provincial government may, on the application of any individual or of any organization, body or group of persons, grant approval for the establishment and operation of a private Centre for the treatment and rehabilitation of drug dependents for the aftercare of persons who have been drug dependents, upon such terms and conditions as it may specify.

(2) The Government may, by order in writing vary the terms and conditions of any approval granted by it any time and without assigning any reason, revoke the approval so made.

(3) Nothing contained in the foregoing provisions shall be construed as in any manner affecting, prejudicing or derogating from the rights of a person lawfully providing medical treatment to any person in relation to any physical or mental condition arising from, or involving or retaining to the drug dependency of such person.

**17. Transfer between Centres.**---Any person who is resident at a Rehabilitation Centre may at any time apply to the Director-General to be transferred to reside at a different Centre and where it is so directed the person shall be accordingly removed in special circumstances after approval of the Director-General.

**18. Compulsory notification of addicts.**---It shall be the duty of a registered medical practitioner, including a government medical officer, to inform the Director-General of a person who is treated for addiction or drug dependency in accordance with the rules.

**19. Lawful custody.**---A person shall be in lawful custody--

- (a) where he is taken into custody by an officer under these rules;
- (b) while he is resident at a Centre or an aftercare Centre; or

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- (c) while he is being taken from or to any place, or while he is engaged in an activity outside a Rehabilitation Centre or an aftercare Centre.

**20. Duties of members of the staff.**---The Director-General shall be competent to determine the duties of the Head of the institution and other members of the staff.

**21. Delegation.**--- The Director-General may by order in writing delegate to any officer to exercise or perform any or all of the powers and duties conferred on him under these rules.

**CHAPTER IV**

**RESPONSIBILITIES OF THE MEDICAL OFFICER**

**22. Duties of Medical Officer.**---The medical officer---

- (a) carry out a thorough medical examination of each addict on admission before leaving the Centre and at other times when required; he shall be produced by the family, which means and includes the parents, the spouse, the children, the descendents of a common ancestor, the guardian and the servant.
- (b) the family shall bring the addict in order to carry out a half-yearly medical examination;
- (c) carry out frequent inspections of the hygienic condition of the Centre;
- (d) carry out examination and treatment of addicts as and when required;
- (e) keep medical records in a form and manner approved by the Director-General of all Medical Services and other similar supervisory health authorities;
- (f) furnish such reports and certificates as the Director-General may require; and
- (g) the family shall be involved in the rehabilitation programme.

**23. Medical treatment of addicts.**---(1) Where in the opinion of the Medical Officer a resident requires treatment in a hospital or specialized institution, arrangements shall be made for the addict to be

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received or detained in a hospital or specialized institution for such period as may be necessary.

(2) During the period of treatment the addict shall be deemed to be under the care of the Head of the treatment Centre.

(3) Where a surgical operation for a resident is considered necessary and urgent and the consent of the parent or guardian as required by the hospital authorities is not obtainable within the time available, Head of the Training Centre shall sign the consent for, and on behalf of, the parent or the guardian.

**24. Compliance with rules and regulations.**---Every member of the staff shall comply with the rules and regulations of the Centre and shall assist the Head of the Institution and the Head of the treatment Centre, in the administration thereof.

**25. Compliance with instructions and orders of the Director-General of the Centre.**---(1) All members of the staff shall abide by the instructions of the Director-General.

(2) The Head of the Centre as directed may order any member of the staff to arrange any clinical or laboratory test of an addict possessing and prohibited or unauthorized drugs.

**26. Leaving the Centre.**---No member of the staff shall leave before the closing hours the premises of the Centre while on duty without approval of the Head of the Centre.

**27. Loans and gifts.**---No member of the staff shall borrow money from or lend money to any resident or accept gifts in cash or kind from any addict or his relative.

**28. Supply or administration of prohibited drugs to addict.**---(1) No member of the staff shall supply, administer or be an agent for supplying or administering any prohibited or unauthorized drugs to any resident.

(2) No member of the staff shall supply or be an agent for supplying an equipment for the administration of any prohibited or unauthorized drug to any resident.

(3) Any member of the staff who has knowledge of any prohibited or unauthorized drug or any equipment for the administration of such drug shall in the Centre immediately report the fact to the Head of the Centre.

**CHAPTER V**

**DUTIES, PROHIBITIONS AND PRIVILEGES OF ADDICTS**

**29. Compliance with rules and lawful orders.**---Every resident shall comply with all the rules of the Centre and shall cooperate with the staff and obey all their lawful orders including any order of search of his person and possessions, given wherever necessary by the Head of the Centre.

**30. Submission to treatment.**---Every resident shall submit to all medical and other treatment prescribed for his rehabilitation, including clinical and laboratory tests.

**31. Addicts to maintain cleanliness.**---Every resident shall keep his bedding, personal effects and all the surrounding areas and the toilets of his living quarters clean and tidy.

**32. Leaving the Centre**---No addict shall leave the Centre without the approval of the Head of the Centre.

**33. Addicts to work in any place assigned.**---Every addict shall work in such place within or outside the Centre as may be assigned to him by the Head of the Centre.

**34. Employment.**---No resident shall be employed in such a way so as to impair his capacity for or to deprive him of reasonable recreation and leisure.

**35. Working outside the Centre.**---Every addict, while being taken to or from any Centre to which he has been lawfully working shall be subjected to the same discipline and constraints as if he were within the Centre.

**36. Earning.**---(1) Addict shall be allowed to retain all or part of their earnings, as may be approved by the Director-General, arising from any activity in, or outside, the Centre.

(2) A saving Bank Account shall be opened for each addict subject to such conditions as the Director-General may from time to time impose.

**37. Acts or violence.**---No addict shall resorted to any form of violence,

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**38. Food, beverages, tobacco, etc.**—No addict shall possess or bring into the Centre any form of food or any beverage, liquor, spirits, tobacco or cigarettes or any substance or chemical which is likely to have an intoxicating or thing which may, from time to time, be prohibited by the Director-General.

**39. Privileges.**---An addict who is believed to have been detoxified:--

- (a) be allowed leave of absence from the Centre.
- (b) be considered for discharge; and
- (c) in case of emergency the Head of the Centre may temporarily allow the addict to have a leave of absence.

### **CHAPTER VI**

#### **RECORD TO BE MAINTAINED**

**40. Record.**---(1) The Head of the Centre shall ensure that the following records are maintained, namely:--

- (a) a register of admission and discharge in which shall be recorded all admissions, orders of detention, revocation of orders of detention, and discharges;
- (b) a case file of each addict in which shall be kept all documents relating to his admission, his case-history, rehabilitation plan, sequential recording of interviews and counselling sessions, progress and evaluation reports and any other matter relating to his stay at the Centre;
- (c) log book in which shall be entered every event of importance connected with the Centre;
- (d) a record of all disciplinary proceedings and inquiries held by Head of the Training Centre which shall include relevant details of such proceedings and inquiries;
- (e) a daily register of the presence or absence of each addict;
- (f) a punishment-book;
- (g) separate books of comments for the use of members of the Board, officers of the Ministry and visitors;

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- (h) a register of all gifts, other than monetary gifts, presented by the public to the Centre;
- (i) an account of all materials purchased for use in the workshop of the Centre and of the disposal thereof;
- (j) a record of all articles manufactured in the Centre and of the sale of such articles;
- (k) inventories of all property in the Centre kept in accordance with the Treasury Instructions relation to such directions as may from time to time be issued by the Director-General;
- (l) a cash book, a ledger with a separate account for each addict and a register of Savings Bank Accounts of desidents;
- (m) a property book for the addicts wherein shall be recorded every possession brought into the Center by an addict, its monetary value and the method of disposal thereof on the discharge of the resident; and
- (n) such other records as may be required by the Director-General.

(2) All records maintained shall be made available for inspection to the Director-General or his representative.

### **CHAPTER VII**

#### **ADMISSION**

**41. Admission.**---(1) No person shall be admitted to a Centre except in accordance with the provisions of the Act and the rules made thereunder.

(2) Every addict shall on admission, be searched in a manner consistent with the necessity for discovering any concealed article.

(3) A female shall be searched only by a female member of the staff.

**42. Custody of property of addicts.**---(1) documents, jewellery, clothing and other personal effects belonging to an addict which are not allowed to be retained by him shall be placed in the custody of the Head of the training Centre who shall keep an inventory thereof in the

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property book and every inventory shall be authenticated by the addict concerned and the Head of the Centre and witnessed by a member of the staff.

(2) All valuables placed in the custody of the Head of the Centre shall be kept in a safe provided for the purpose.

(3) Cash belonging to a resident shall be accounted for and deposited in the Saving Bank Account of the addict by the Head of the Centre as soon as it is practicable to do so.

(4) The Savings Bank Book of the addicts shall be retained by the Head of the Centre and returned to the addict on his discharge from the Centre.

**43. Acquainting new addicts with the duties and privileges.**---(1) On admission of a resident, the Head of the Training Centre shall acquaint him with the objectives of the Centre and his duties and privileges and assign him to a house and if necessary the resident may later be reassigned to another House more suited to his needs.

(2) On a resident being assigned to a House the House-master may detail a senior resident to help the new resident to settle in.

### **CHAPTER VIII**

#### **CARE OF ADDICTS**

**44. Separate beds.**---Every addict shall be provided with a separate bed.

**44. Diet.**---(1) Every resident shall be supplied with sufficient and varied food based on a dietary scale approved by the Director General.

(2) Proper arrangements shall be made for the preparation, cooking and serving of diet as required by custom or religion.

(3) A copy of the menu shall be kept posted in the kitchen, dining hall and office of the Centre.

**46. Facilities for religious instruction and observance.**---(1) Religious instruction and facilities for religious observance shall be provided for all addicts according to their religion.

(2) Arrangements shall be made for regular religious observance and instructions for all addicts according to their respective religious persuasions.

**CHAPTER IX**

**REVIEW OF CASES, DISCHARGE AND AFTER-CARE**

**47. Discharge.**---All discharge from a Centre except emergency shall be approved by the Board.

**48. Quarterly progress report.**---(1) The Head of the Centre shall prepare a quarterly progress report on each addict, including his home situation for review by the Board.

(2) At each review the Board shall consider the date on which the addict shall be fit for discharge.

(3) Where the Board is of the opinion that an addict may be discharged in the first twelve months of his stay it shall furnish a report to the Federal Government or a Provincial Government with a view to getting his consent to the discharge.

(4) The Board shall maintain a review and discharge register showing the date and result of its review of each case and the reasons for its decision.

**49. Discharge subsequent to after-care.**---Arrangements for the discharge and after-care of an addict shall be made after consultation with the Rehabilitation Officer or any other person responsible for his after-care who shall be given all the relevant information and assistance necessary for securing the continued and well-directed after-care of the resident.

**50. Applicability of rules to jails or other such establishment.**---(1) These rules shall apply to all Centres established in jails or other such places of confinement, by whatever name may be called, mutatis-mutandis with such modifications as the officer of those establishment may consider necessary.

(2) Addicts in all places specified in sub-rule (1) above shall be segregated from ordinary prisoners and kept in separate wards and their case pursued in courts on day to day basis for their earliest disposal by courts by the officials of the jails or other establishments, to serve the purpose of these rules.

**CHAPTER X**

**51. Standing orders of the Centre.**---The Director-General or the Head of the treatment Centre if authorised by the Director-General