

Medicine and Identity: Legal and Ethical Dimensions of Chronic Benzodiazepine Use in India

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Abstract: Benzodiazepines are widely utilized for conditions such as anxiety and insomnia, despite medical recommendations to limit their use to brief periods. However, in India, long-term prescribing remains prevalent, often without sufficient oversight or patient guidance. This has led to increasing concerns about dependence, cognitive harm, and withdrawal-related injuries. Consequently, the situation presents not only medical challenges but also substantial legal questions. This paper explores whether the continued prescription of benzodiazepines in India, even though national and international guidelines limit their use to brief periods, breaches legal requirements. The study intends to analyze the disparity between accepted clinical guidance and real-world prescribing habits in India. It also evaluates the subsequent legal consequences, particularly concerning medical negligence under law of torts, law of contract and consumer protection act. The research employs doctrinal and exploratory methodology. It relies on established secondary sources, including recommendations from the WHO, guidelines issued by the British Association of Psychopharmacology, protocols from RACGP, Kaiser Permanente guidelines and standard reference works such as Ashton's Manual. These sources consistently advocate for limiting benzodiazepine use to short durations. This information is then contrasted with Indian studies and accessible global reviews, which frequently indicate widespread long-term prescribing and insufficient patient monitoring. Additionally, the paper scrutinizes relevant Indian legal frameworks and judicial decisions, including *Jacob Mathew v. State of Punjab* on issues of medical negligence and *Samira Kohli v. Dr. Prabha Manchanda* on the matter of informed patient consent.

Keywords: Benzodiazepines, Prescription practices in India, Medical negligence, Informed consent, Standard of medical care, Law of torts, Consumer Protection Act