

DRUGS AND THE CRIME RELATED TO THEIR TRAFFICKING AND ABUSE

AUTHOR – ARUN KUMAR T, ADVOCATE

BEST CITATION – ARUN KUMAR T, DRUGS AND THE CRIME RELATED TO THEIR TRAFFICKING AND ABUSE, INDIAN JOURNAL OF LEGAL REVIEW (IJLR), 4 (1) OF 2024, PG. 478-482, APIS – 3920 – 0001 & ISSN – 2583-2344

ABSTRACT:

India is a country which has well resources and population. Through intelligent people and leaders, India has become a developing country. However, there are some disadvantages that obstruct India from becoming a developed country. One of the main disadvantages is drugs, which are mainly used by children and adolescents who are the backbone of our country. Mainly the manufacturers of drugs are targeting the children and making them addicted to the drugs. Thus, drugs consumed by the Children not only affect them and their family and physical health. This article mainly discusses drugs, sales, and distribution, criminal activities related to drugs, and laws made for the usage and sale of drugs.

KEYWORDS:

Drugs, Juvenile, NDPS Act, Drug Trafficking, Drug abuse, Stimulants, Drug addiction,

INTRODUCTION:

Drugs are substances that change the physical and mental health of humans. Drugs used in both legal and illegal means, for medical treatment and cosmetics drugs are used as legal means and other than this is considered to be illegal. These drugs result in the shift of our Indian culture. Now, the whole of India is under the curse of drug trafficking and drug addiction. Drug trafficking and drug addiction lead to loss of lives, and violence and also create an impact on communities at large. India is also caught under this curse and the number of drug addicts is increasing day by day. This article mainly focuses on the juvenile in the hands of narcotic drugs, the consequences, and the laws and measures provided by the Indian Government to protect abuse, use, and sale of drugs. Narcotic and Psychotropic Substances Act 1988 deals with drug-related crimes in India.

DRUGS:

The word “Drug” is derived from the French word “drogue” which means a dry herb. This meant that in earlier times drugs were taken

from plant sources for medical purposes. Now, a drug is a chemical substance that brings changes both physically and psychologically. In India, drugs used for medical purposes are held to be legal and they can be sold and distributed. However narcotic drugs and psychotropic substances which are mind-changing drugs are not legal in India.

HISTORY OF DRUGS

There exists evidence of the usage of drugs from a longer period ago (2,000 BCE- 500 CE). At that time opium, alcohol, tobacco, and others which used for religious, medicinal, and recreational purposes. The use of hallucinogenic mushrooms in holy ceremonies and peyote buttons which contain psychoactive alkaloids, these discoveries clearly show the prehistory humans used the drugs.

During the invasion of the British into India, China is the first country to purchase and sell opium in large quantities. The British Government found that the sale of opium provided tremendous wealth so they decided to start manufacturing and selling opium around the world. British forced Indian farmers to

cultivate opium and then the British sold the opium all over the world for huge profits. This was opposed by China and then the first opium war started between the China and British between 1839 and 1842.

SOURCES OF NATURAL DRUGS:

Natural drugs come from one of the following three plants:

1. Opium poppy (Papaver somniferous)
2. Cannabis
3. Coca

Opium poppy:

(Papaver Somniferum) plant produces beautiful red and white flowers that mature into bolls. Incisions are made on the bolls through a process called lancing and latex oozes out and sticks to the surface of the boll. On exposure to the atmosphere, the latex turns brownish to black, gummy, and resinous and this substance is called opium or opium gum. Opium is a drug of abuse.

Cannabis plant

Cannabis plant grows wild and is also illegally cultivated. The flowering tops of cannabis are called Ganja. The resin produced by crushing the plant is called hashish or Charas. Hashish oil is also produced through distillation.

Coca plant

The leaves of the coca plant and the coca paste made from these leaves are stimulating drugs. Thus, opium, Ganja, hashish, hashish oil, coca leaves, and coca paste are natural drugs.

AVAILABILITY OF DRUGS:

Drugs can be classified into two types based on availability:

1. Availability in rural areas
2. Availability in urban areas

AVAILABILITY IN RURAL AREAS

Some of the drugs are only accessed by the people who are living in the village area (i.e. rural areas).

1. Alcohol
2. Cigarette
3. Cigarette
4. Ganja

AVAILABILITY IN URBAN AREAS

These drugs are availed by the people who are living in the urban areas (Hi-tech city):

1. Cocaine
2. Hallucinogens
3. Barbiturates
4. Marihuana
5. Opiates
6. Meth
7. Anastrozole

TYPES OF DRUGS AND THEIR EFFECTS:

1. OPIOIDS

It is also known as opiates, which is taken from opium. It makes a therapeutic impact by emulating the actions of the neurotransmitters. It is used as a painkiller and also it provides a great pleasure sensation. These opioids are generally used in the USA which makes people get addicted and it is one of the dangerous drugs.

There are some types of opioids such as:

- ★ Fentanyl
- ★ Heroin [Illegal opioid]
- ★ Oxycodone.

EFFECTS:

1. Slow heart rate
2. Drowsiness
3. Respiratory depression
4. Slow breathing

2. COCAINE

It is from the coca plant. It can be used by injecting into the vein, inhaling, or nasally. It makes the chronic changes by the neural circuits in the brain react to stress. It provides the user with high pleasure.

EFFECTS:

1. Increased heart rate
2. Nosebleeds
3. Neurological issues

4. Increased blood pressure
5. Inability to smell and swallow
6. Aggressive conduct

3. ALCOHOL

It impairs the functions including memory and judgment. If consumption of alcohol for a long period causes a decrease in the size of the neurons.

EFFECTS:

1. Slow heart rate
2. Trauma
3. Confusion
4. Difficult to maintain consciousness

4. SEMI-SYNTHETIC DRUG:

If the natural drug is treated chemically to either isolate its active ingredient or modify it, semi-synthetic drugs are produced. Morphine, codeine, heroin, etc. are semi-synthetic drugs produced from opium while cocaine is a semi-synthetic drug produced from the coca plant.

5. SYNTHETIC DRUG:

Synthetic drugs are produced purely through chemical processes. Amphetamines, ecstasy, diazepam, and methaqualone (commonly called Mandrax) are some examples of synthetic drugs.

6. STIMULANTS:

It raises the alertness of the physiological process. It gives a speed of communication between the brain and the body. It keeps our body more alert, awake, and energetic. It includes nicotine, cocaine, etc.

EFFECTS:

1. Increased alertness
2. Reduced talkativeness
3. Death (high dose)
4. Talkativeness
5. Anxiety

7. SEDATIVES:

It slows down the central nervous system. It is mainly used as medication and it gives the feel of relaxation or sleepiness

EFFECTS:

1. Decreased anxiety
2. Drowsiness
3. Slow heart rate
4. Decreased pain

DIFFERENT WAYS OF CONSUMING DRUGS:

Drugs are smoked, snorted, consumed orally, or injected depending on the nature of the drug. Some drugs can be used in more than one way. For instance, heroin can be smoked while the purer form of heroin can be injected. Injections give a greater high than oral use or smoking and hence injecting drug use is more harmful than oral use or smoking.

JUVENILE ABUSE BY DRUGS:

Juveniles are the main ones who easily get addicted to drugs. Also, the manufacturers are targeting juveniles and abusing them by making them get addicted to the drugs. The main reason for juvenile addicts is availability of the drugs.

CAUSES:

Children like everything. Children initiate their parents and what they watch they reflect. Children don't know whether their actions are good or bad. During the adolescent age though they could realize what is right or wrong, but not know about the consequences. The needs of the child are so bigger than the parents' needs. The children will do the wrong to satisfy their needs. Unless their attitudes are being corrected at the initial stage it will lead to serious consequences. The following are some of the causative factors in turning juveniles into delinquents.

1. Poverty:

India is a developing country. Many people are under the poverty line. To run their life, they do something to earn and in that rush lifestyle, they forget to care about the children. The children in this situation do something to attain their needs.

2. Peer Group:

When juveniles in conflict with the law have been produced before the JJB, they will be sent to the observation home till the completion of the trial. These periods will act as an experienced sharing among the inmates. If he comes outside, they form a gang and perfectly do the wrong.

3. Contentment:

Juveniles use drugs for contentment and pleasure. Abused drugs will interact with the neurochemistry of the brain to produce pleasure. The euphoria differs from the use of the drug and type of drug.

4. Society:

Juvenile has a stigma that is created by the society. After being released from the juvenile home, the child suffers from depression, social anxiety, stress disorder, and mental pain and they stand to use drugs again, to lessen the distress feeling.

5. Profit:

Drug abusers are used to sell the drug. Drug dealers and gangsters are selling the drug through the drug abuser. First, they provide a psychological seeking of drugs to the adolescents, and then they sell the drug to others. As the cost of drugs is higher, the owners get profit in lakhs and crores. Because the demand for drugs is so high, juveniles are being used in drug peddling.

6. Broken Family:

McDougall says "The stability of the family is the prime condition of a healthy state of the society and the stability of every community". A broken family means both parents are missing or absent or away from home due to death, divorce or other matrimonial problems. In broken families, the children will be affected physically and psychologically. They live alone and sometimes they face stepmother torture. The death of the father makes the child so delinquent in behaviour and the father was almost fatal for the girl. 29.8 percent of delinquency starts because of the stepfather. All

the misbehaviour of parents gives room to the children to do an illegal act.

7. Media:

Media plays an important role in everyone's life. It is not just entertainment; it is a mirror that shows everyone's emotions, actions, and feelings. After spending time in TV shows, we feel free. We can learn something from the media, especially children. The juvenile and all children listen to music. In that many music videos seem to project intake of drugs. The juvenile agrees with this statement. Not only music but also some movie shows of intake of drugs, and nowadays consumption of drugs has become a symbol of status.

8. Self-Confidence:

Many shy teens are there. Drugs give them confidence and tend to appeal otherwise they feel socially inferior. Some drugs give aggression, and some feel relaxed about the type of drug they feel, they want.

9. Experiment:

To seek new experiences, juveniles use drugs for intake and trade. Some people are motivated to use drugs. Some juveniles are perceived as thrilling, daring, or risky; they are easily addicted to illegal drugs.

10. Availability:

Availability is also an issue when it comes to retailers for their profit; they sell the drug to the teens. Even though it is punishable by law, it contributes to many problems.

11. Less Parental Care:

Nowadays both parents are working, so the child will be alone. They leave their children in the house if the child leaves or comes earlier to home. There is more opportunity for the child to use the drug; the child alone means nearly one makes the child drug abusers misuse the child.

CONSEQUENCES:

1. poor academic performance
2. physical health
3. affects mental health
4. failure of family bonds
5. Juvenile Delinquency

6. Other social and economic consequences

CONCLUSION:

Drug usage by juveniles is increasing badly, because of so many reasons. Drug crime is not only done to them it is done to another person, but if it is done by juvenile there is no proper punishment for the act or proper care to control it. In India, there are many provisions and many amendments done day by day, but the crime rate has not decreased adversely. Not only Indian law at the International level there are many conventions for drugs and juveniles but not even a Single Convention has proper care for juvenile offenders. A child becomes a delinquent at the age of twenty-two.

Punishment for heinous crimes committed by juveniles for offenses like sexual abuse is too less under the law. The juveniles are committing heinous offenses because of this lacuna law. They wear child masks and commit any crime. So, the punishment must be rigorous in stopping the commission of a crime. Punishments should be given to their parents also then only the crime rate by juveniles or child in conflict with a law will decrease. The parents should be in a position to teach the child and prevent them from doing an act. But their parents are not preventing the child and not taking care of them and the punishment should not be simple and half of the punishment should be given to the parents. The drug trader should be punished along with the juvenile for giving illegal drugs, and tobacco. Even if it is a petty shop the punishment should be rigorous.

“Children are the assets of India, so don't make the India weak”.