
DRUG ABUSE AND ITS TRAFFICKING: THE RUNDOWN OF THE NOTION IN THE CONTEMPORARY WORLD

Soumya Turkar, Amity University, Raipur (C.G)

ABSTRACT

A drug is any chemical substance that causes a change in an organism's physiology or psychology when consumed. Drug abuse is use of illegal drugs which may harm a person physically or psychologically. It is a substance that we consumed into the body of living organism it alters normal body function. India is located between Golden crescent (Iran, Afghanistan, and Pakistan) and golden triangle (Burma, Thailand, Laos and Vietnam) which are the two largest opium producing regions of the world. Some of the most abused drugs are cocaine, heroin, opium, steroids, cannabis etc. Serious drug abuse can cause seizures, nervous breakdowns, and coma. According to the National Crime Records Bureau crime in India 2020 reports, a total of 59, 806 cases under NDPS Act, 1985. Mass media played an important role in spreading awareness about drugs and not glorifying drug abuse. The Ministry has developed new modules, to be followed in the schools for awareness among the children, teachers, and parents about ill effects of substance use under the scheme of NAPDDR (National Action Plan for Drug Demand Reductions).

INTRODUCTION

International Day against drug abuse and illegal trafficking, is 26 June. A drug is any chemical substance that causes a change in an organism's physiology or psychology when consumed. When a drug is consumed, it rushes 'dopamine' into your brain, having you wanting for more and negative effect on a person's physical and mental health as well as social life. Drug abuse is use of illegal drugs which may harm a person physically or psychologically. It is a substance that we consumed into the body of living organism it alters normal body function. Drugs are chemicals that change the person body works by altering emotions and thoughts. Drug abuse and addiction, now both grouped as substance or drug use disorder, is the condition characterized by a self- instead of using substance that leads to significant problems and distress, which may include tolerance or withdrawal from the substance. Abuse involves smoking, injecting, sniffing or ingesting illegal or over the counter drug. Drug abuse the reference to the addiction of prescribed, illegal or over the counter drugs. Taking sleeping pills beyond the prescribed limit is also a kind of drug abuse. Every year drug abuse cost millions of injuries and hospitalization all over the world. Some of the most abused drugs are cocaine, heroin, opium, steroids, cannabis etc. Serious drug abuse can cause seizures, nervous breakdowns, and coma. Victims of drug abuse need expert medical care and emotions supported by family and friends.

UPROOTING THE ROOT CAUSES.

India is located between Golden crescent (Iran, Afghanistan, and Pakistan) and golden triangle (Burma, Thailand, Laos and Vietnam) which are the two largest opium producing regions of the world.

India is the world's largest manufacturer of generic drugs. Prescription drugs and their constituents or 'precarious', are increasingly being diverted for recreational used in India, according to the world drug report 2021.

The economic downturn caused by the global pandemic may drive more people to substance abuse or leave them vulnerable to involvement in drug trafficking and related crimes.

School and college students often start using drugs under peer pressure and on the pretext of being immense exam pressure.

Drug trafficking across the borders, corrupting in the police system, negligence on the part of law enforcement agencies (for example use of drugs in rave parties) etc. Are a few examples of poor implementation of laws.

DRUGS AS AN ABUSE vis-à-vis ITS DIVERSE FORMS

COCAINE: - Cocaine is known by slangs, notably ‘fantasy’, ‘nightmare’ and ‘savage stimulation’. It is a powerfully addictive stimulant drug made from the leaves of the coca plant native to South America. Although healthcare providers can use it for valid medical purposes, such as local anesthesia for some surgeries, recreational cocaine use is illegal. As a street drug, cocaine looks like a fine, white, crystal powder. Street dealers often mix it with things like cornstarch, talcum powder, or flour to increase profits. They may also mix it with other drugs such as the stimulant amphetamine, or synthetic opioids, including fentanyl. Adding synthetic opioids to cocaine is especially risky when people using cocaine don’t realize it contains this dangerous additive. Increasing numbers of overdose deaths among cocaine users might be related to this tampered cocaine.¹

HEROIN: - Heroin is also known as Smack. Heroin is a white or brown powder or a black, sticky goo. It's an opioid drug made from morphine, a natural substance in the seedpod of the Asian poppy plant. It can be mixed with water and injected with a needle. Heroin can also be smoked or snorted up the nose. All these ways of taking heroin send it to the brain very quickly. This makes it very addictive.

Major health problems from heroin include miscarriages, heart infections, and death from overdose. People who inject the drug also risk getting infectious diseases, including HIV/AIDS and hepatitis. This means users need more and more drug to have the same effect. At higher doses over time, the body becomes dependent on heroin. If dependent users stop heroin, they have withdrawal symptoms. These symptoms include restlessness, muscle and bone pain, diarrhea and vomiting, and cold flashes with goose bumps.²

OPIUM: - Opium drugs are also known as opiates. **Opium** is obtained from the unripe seedpods of the opium poppy, a plant of the family Papaveraceae. Opium is obtained by

¹ *Cocaine drug facts* (2022) *National Institutes of Health*. Available at: <https://nida.nih.gov/publications/drugfacts/cocaine> (Accessed: 09 August 2023).

² *Heroin* (no date) *MedlinePlus*. Available at: <https://medlineplus.gov/heroin.html> (Accessed: 09 August 2023).

slightly incising the seed capsules of the poppy after the plant's flower petals have fallen. The slit seedpods exude a milky Latex that coagulates and changes color, turning into a gum-like brown mass upon exposure to air. This raw opium may be ground into a powder, sold as lumps, cakes, or bricks, or treated further to obtain derivatives such as morphine, codeine, and heroin.³

STEROIDS: - Steroids are a man-made version of hormones normally produced by the adrenal glands which are 2 small glands found above the kidneys. Steroids reduce redness and swelling (inflammation). This can help with inflammatory conditions such as asthma and eczema. Steroids also reduce the activity of the immune system, which is the body's natural defense against illness and infection. This can help treat autoimmune conditions, such as rheumatoid arthritis or lupus, which are caused by the immune system mistakenly attacking the body.⁴

CANABIS: - Mexican term 'marijuana' is frequently used in referring to cannabis leaves or other crude plant material in many countries. The unpollinated female plants are called hashish. Cannabis oil (hashish oil) is a concentrate of cannabinoids obtained by solvent extraction of the crude plant material or of the resin. Further, cannabis also grows in many parts of the country. It has been reported that it is cultivated in hilly areas in some parts of the country. Cannabis is by far the most widely trafficked and abused illicit drug. Half of all drug seizures worldwide are cannabis seizures. The geographical spread of those seizures is also global, covering practically every country of the world. About 147 million people, 2.5% of the world population, consume cannabis (annual prevalence) compared with 0.2% consuming cocaine and 0.2% consuming opiates. In the present decade, cannabis abuse has grown more rapidly than cocaine and opiate abuse. The most rapid growth in cannabis abuse since the 1960s has been in developed countries in North America, Western Europe, and Australia. Cannabis has become more closely linked to youth culture and the age of initiation is usually lower than for other drugs. An analysis of cannabis markets shows that low prices coincide with high levels of abuse, and vice versa. Cannabis appears to be price-inelastic in the short term, but fairly elastic over the longer term. Though the number of cannabis consumers is greater than opiate and cocaine consumers, the lower prices of cannabis mean that, in economic terms, the

³ *Opium* (2023) *Encyclopædia Britannica*. Available at: <https://www.britannica.com/science/opium> (Accessed: 09 August 2023).

⁴ (No date) *NHS choices*. Available at: <https://www.nhs.uk/conditions/steroids/> (Accessed: 09 August 2023).

cannabis market is much smaller than the opiate or cocaine market.⁵

ANALYSING IMPACTS IN THE CONTEMPORARY WORLD

Drug abuse is one of the most serious health problems faced by the world today, but his entire family, the society and the nation act large and spawn antisocial Behavior such as sterling, and violence.

Abusing a drug, or misusing a substance can produce other short-term effects such as: - change in appetite, sleeplessness or insomnia, increased heart rate etc.

Illegal productions and distributions of drugs have spawned crime and violence worldwide.

Increase in incidence of HIV, hepatitis B and C and tuberculosis due to addiction adds the reservoir of infection in the community burdening the healthcare system.

Women in India face greater problems from drug abuse. The consequences include domestic violence and infections with HIV, as well as the financial burden.

HEALTH IMPACTS: - Drugs damages to the organs, such as the heart brain and liver. Diseases, such as heart disease, HIV, and cancer. Development of mental illnesses, suicides. Permanent changes to hormonal or nervous systems. Neglecting other aspects of life because of their drug use and spending inordinate amounts of time or energy getting using or recovering from the effect of the drugs.

REPORTS

The theme in 2018 for drug abuse and illicit trafficking is “listen first-listening to the children and yelped is the first step to help them grow healthy and safe”.

In 2018, the Punjab cabinet has decided to recommend the death penalty for drug traffickers.

According to the National Crime Records Bureau crime in India 2020 reports, a total of 59, 806 cases under NDPS act,1985.

⁵ *Cannabis* (no date) *World Health Organization*. Available at: <https://www.who.int/teams/mental-health-and-substance-use/alcohol-drugs-and-addictive-behaviours/drugs-psychoactive/cannabis> (Accessed: 09 August 2023).

AWARENESS AND PREVENTION: -

Raising awareness on drug related harm, especially health and social effects. Since children and young adults are most vulnerable to drug abuse measures should be taken to aware children. Mass media played an important role in spreading awareness about drugs and not glorifying drug abuse.

GOVERNMENTAL STEPS: -

Ministry of social justice and empowerment implements the scheme of National Action Plan for Drug Demand Reductions (NAPDDR), Under which financial existence is provide to NGO's for running and maintenance of Integrated Rehabilitation Centers for Addicts (IRCAS).

The Ministry has developed new modules, to be followed in the schools for awareness among the children, teachers, and parents about ill effects of substance use under the scheme of NAPDDR.

The mental health Care Act (2017) has included alcohol and drug use disorders under its ambit.

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 drugs offense and offenders.

The government has constituted a fund called “National Fund for Control of Drug Abuse” Meet the expenditure incurred in connection with combating illicit traffic in narcotic drugs, rehabilitating addicts, and educating the public against drug abuse etc.

The Narcotic Drugs and Psychotropic substance act, (NDPS) 1985 prohibits a person from producing, processing, selling, purchasing, transporting, storing, or consuming any narcotic drugs or psychotropic substances.

Narcotic Drugs and Psychotropic Substances Act, 1985

68. Prohibition of certain operations. —No person shall—

⁶ . Ins. by Act 2 of 1989, s. 5 (w.e.f. 29-5-1989).

⁷ . Ins. by Act 9 of 2001, s. 5 (w.e.f. 2-10-2001).

(a) cultivate any coca plant or gather any portion of coca plant; or

(b) cultivate the opium poppy or any cannabis plant; or

(c) produce, manufacture, possess, sell, purchase, transport, warehouse, use, consume, import inter-State, export inter-State, import into India, export from India, or tranship any narcotic drug or psychotropic substance,

except for medical or scientific purposes and in the manner and to the extent provided by the provisions of this Act or the rules or orders made thereunder and, in a case, where any such provision, imposes any requirement by way of licence, permit or authorisation also in accordance with the terms and conditions of such licence, permit or authorisation:

Provided that, and subject to the other provisions of this Act and the rules made thereunder, the prohibition against the cultivation of the cannabis plant for the production of *ganja* or the production, possession, use, consumption, purchase, sale, transport, warehousing, import inter-State and export inter-State of *ganja* for any purpose other than medical and scientific purpose shall take effect only from the date which the Central Government may, by notification in the Official Gazette, specify in this behalf:

¹[Provided further that nothing in this section shall apply to the export of poppy straw for decorative purposes.]

⁷ [8A. Prohibition of certain activities relating to property derived from offence. —No person shall—

(a) convert or transfer any property knowing that such property is derived from an offence committed under this Act or under any other corresponding law of any other country or from an act of participation in such offence, for the purpose of concealing or disguising the illicit origin of the property or to assist any person in the commission of an offence or to evade the legal consequences; or

(b) conceal or disguise the true nature, source, location, disposition of any property knowing that such property is derived from an offence committed under this Act or under any

⁷ . Ins. by Act 9 of 2001, s. 5 (w.e.f. 2-10-2001).

other corresponding law of any other country; or

(c) knowingly acquire, possess or use any property which was derived from an offence committed under this Act or under any other corresponding law of any other country.]

20. Punishment for contravention in relation to cannabis plant and cannabis. —Whoever, in contravention of any provision of this Act or any rule or order made or condition of licence granted thereunder, —

(a) cultivates any cannabis plant; or

Produces, manufactures, possesses, sells, purchases, transports, imports inter-State, exports inter-State or uses cannabis,

shall be punishable, —

[(i) where such contravention relates to clause (a) with rigorous imprisonment for a term which may extend to ten years, and shall also be liable to fine which may extend to one lakh rupees; and

(ii) where such contravention relates to sub-clause (b), —

(A) and involves small quantity, with rigorous imprisonment for a term which may extend to [one year], or with fine which may extend to ten thousand rupees, or with both;

(B) and involves quantity lesser than commercial quantity but greater than small quantity, with rigorous imprisonment for a term which may extend to ten years, and with fine which may extend to one lakh rupees;

(C) and involves commercial quantity, 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.]

23. Punishment for illegal import into India, export from India or transshipment of

narcotic drugs and psychotropic substances.—Whoever, in contravention of any provision of this Act or any rule or order made or condition of licence or permit granted or certificate or authorisation issued thereunder, imports into India or exports from India or tranships any narcotic drug or psychotropic substance shall be punishable,—

(a) where the contravention involves small quantity, with rigorous imprisonment for a term which may extend to [one year], or with fine which may extend to ten thousand rupees, or with both;

(b) where the contravention involves quantity lesser than commercial quantity but greater than small quantity, with rigorous imprisonment for a term which may extend to ten years, and with fine which may extend to one lakh rupees.

(c) where the contravention involves commercial quantity, 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.]

PROVISIONS FOR BAIL

⁸[**37. Offences to be cognizable and non-bailable.** —(1) Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974),—

(a) every offence punishable under this Act shall be cognizable.

(b) no person accused of an offence punishable for [offences under section 19 or section 24 or section 27A and for offences involving commercial quantity] shall be released on bail or on his own bond unless—

(i) the Public Prosecutor has been given an opportunity to oppose the application for such release, and

⁸ Subs. by Act 2 of 1989, s. 12, for section 37 (w.e.f. 29-5-1989).

(ii) Where the Public Prosecutor opposes the application, the court is satisfied that there are reasonable grounds for believing that he is not guilty of such offence and that he is not likely to commit any offence while on bail.

(2) The limitations on granting of bail specified in clause (b) of sub-section (1) are in addition to the limitations under the Code of Criminal Procedure, 1973 (2 of 1974) or any other law for the time being in force on granting of bail.].

SAFEGUARDS

50. Conditions under which search of persons shall be conducted.—(1) When any officer duly authorised under section 42 is about to search any person under the provisions of section 41, section 42 or section 43, he shall, if such person so requires, take such person without unnecessary delay to nearest Gazetted Officer of any of the departments mentioned in section 42 or to the nearest Magistrate.

(2) If such requisition is made, the officer may detain the person until he can bring him before the Gazetted Officer or the Magistrate referred to in sub-section (1).

(3) The Gazetted Officer or the Magistrate before whom any such person is brought shall, if he sees no reasonable ground for search, forthwith discharge the person but otherwise shall direct that search be made.

(4) No female shall be searched by anyone excepting a female.

⁴ [(5) When an officer duly authorised under section 42 has reason to believe that it is not possible to take the person to be searched to the nearest Gazetted Officer or Magistrate without the possibility of the person to be searched parting with possession of any narcotic drug or psychotropic substance, or controlled substance or article or document, he may, instead of taking such person to the nearest Gazetted Officer or Magistrate, proceed to search the person as provided under section 100 of the Code of Criminal Procedure, 1973 (2 of 1974).

(6) After a search is conducted under sub-section (5), the officer shall record the reasons for such belief which necessitated such search and within seventy-two hours send a copy thereof to his immediate official superior.]

[50A. Power to undertake controlled delivery. —The Director General of Narcotics Control Bureau constituted under sub-section (3) of section 4 or any other officer authorised by him in this behalf, may, notwithstanding anything contained in this Act, undertake controlled delivery of any consignment to—

(a) any destination in India;

(b) a foreign country, in consultation with the competent authority of such foreign country to which such consignment is destined, in such manner as may be prescribed.]

55. Police to take charge of articles seized and delivered.—An officer-in-charge of a police station shall take charge of and keep in safe custody, pending the orders of the Magistrate, all articles seized under this Act within the local area of that police station and which may be delivered to him, and shall allow any officer who may accompany such articles to the police station or who may be deputed for the purpose, to affix his seal to such articles or to take samples of and from them and all samples so taken shall also be sealed with a seal of the officer-in-charge of the police station.

CONCLUSION

Hence, we can clearly state that Drugs abusing, and Drug trafficking are very harmful to one's own and other's life and it's directly effect on our health. Buying and selling drugs without a license is a crime punishable by jail or fine or both. The most common drugs of abuse are cannabis, cocaine, opium, heroin, and steroids. Cocaine is known as slangs. The heroin is also called as Smack and Opium drugs are also known as opiates. Abusing a drug, or misusing a substance can produce other short-term effects such as: - change in appetite, sleeplessness or insomnia, increased heart rate etc. Illegal productions and distributions of drugs have spawned crime and violence worldwide. Women in India face greater problems from drug abuse. It is one of the most serious health problems faced by the world today. There are approximately 40 lakh Drug addicts in the country. Moreover, there is a serious abuse of pharmaceutical like 'buprenorphine', codeine-based cough syrups and painkillers. In each certain region of country drug abuse already has become serve social-economic problem affecting vulnerable age group.

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