
ANALYSIS OF DRUG ABUSE IN INDIA AND NDPS ACT

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ABSTRACT

The problem of drug abuse in our country is increasing day by day. From teenagers to old age people almost every age group of people are an addict of drug consumption. The youths are the most vulnerable of consuming it. To curb down this addiction of drug consumption the Govt. of India in 1985 came with the enactment of NDPS Act (Narcotic Drugs and Psychotropic Substances Act) 1985. Still it's a rising trend in our country which is serious concern for us. In the following article, I have done an analysis of the addiction of drugs consumption in India, despite knowing it's harmful why people are consuming it, what are the pros of its consumption and what are its cons. I have also done the analysis of NDPS Act, what are the benefits of this Act and what are its loopholes. In the process of writing this article I went through various research papers and also took some references of their datas.

Keywords: Narcotic drugs, Pyschotropic substances, drug abuse.

Introduction:-

The word “narcotics” which is also known as “opioids” has been derived from a Greek word “stupor”, which refers to those substances that helps a person to dull his senses or to get relief from pain and “psychotropic substances” are those which a person consumes to alter his mental state. According to section 2(xiv) of NDPS Act 1985 “narcotic drugs” means coca leaf, cannabis(hemp), opium, poppy straw and all manufactured drugs¹. According to section 2(xxiii) of NDPS act 1988 “psychotropic substance” means any substance, natural or synthetic, or any natural material or any salt or preparation of such substance or material included in the list of psychotropic substances specified in the schedule². In simple words, Any substance which is made by coca leaf, cannabis(hemp), opium, poppy straw will be named as narcotic drugs. The drugs include **Coca leaf , Opium, Cannabis(hemp)**, charas, “ganja (excluding when it does not has seeds and leaves on the top) **and** any mixture of cannabis, irrespective of the fact that whether it contains any neutral substance or not; and poppy straw.

What is drug abuse?

Drug abuse is illegal consumption of drugs prohibited by law or use of any legalized drugs without prescription of any doctor or use of those drugs more than the quantity it is prescribed is said to be drug abuse.

Intentional inhaling of household or chemical products like bonafix, solution, harpic, phenyl and shoe polish for the purpose of mind relaxation is also said to be drug abuse. Excessive consumption of tobacco or alcohol can also be said to be drug abuse. In Simple words “Excessive or addictive consumption of any substance, chemical or drugs (whether it is prohibited by law or not) for the purpose of mind alteration or relaxation is said to be drug abuse”.

The National Institute of Cancer defines drug abuse as:

“The use of illegal drugs or the use of prescription or over the counter drugs for purposes other than those for which they are meant to be used, or in excessive amounts. Drug abuse may lead

¹ NDPS Act 1985 (61 of 1980s), s. 2(xiv)

² NDPS Act 1985 (61 of 1980s), s. 2(xxiii)

to social, physical, emotional, and job-related problems³.

Types of drug abuse:-

Alcohol:- Sometimes alcohol also comes under the category of drug abuse. When someone consumes excessive amount of alcohol it can be said to be drug abuse, excessive alcohol consumption can create very serious problems for us. It affects our body organs, a person who consumes excess amount of alcohol can suffer from liver disease, heart problems, strokes, digestive problems, kidney failure, high blood pressure etc, weakening of immune system etc..

Because of excess consumption of alcohol probability of committing a crime also increases by a person due to intoxication.

Overdose of prescribed medicines:- Taking an overdose of prescribed medicines can be also harmful as much as consumption of illegal drugs. Medicines like sleeping pills or stimulants medicines used for attention deficit hyperactivity disorder or opioids pain relivers are some of the common drugs which are often abused. The most common abused prescribed drugs are cough syrups and cold medicine that contains dextromethorphan, which makes a person intoxicated after high consumption.

Heroin

Heroin, which is mentioned as diacetylmorphine in NDPS Act is a drug which is prohibited by law, it is natural version of manmade opioids narcotics. When someone consumes heroin it gives him a good feeling or mental relief instantly but after sometimes, when it wears off everything starts to slow down his movement and thought process also slows he may start feeling nausea or nervousness, which tends him to consume it again to feel better or to regain his energy and he ends up in the never ending cycle of drug consumption.

Cocaine

Cocaine that is also known as “methyl ester of benzoyl-ecgonine and its salts” comes under the categories of those drugs whose consumption is prohibited by law. When someone consumes cocaine, he may think, move or talk very fast, Its consumption speeds up a persons whole body.

³ Namisha Choudhary, “Drug Abuse and the Failure of the NDPS Act to Curb the Issue: A Socio-Legal Analysis”, ISSN 2582-7820, (2021)

It makes a person very happy and full of energy, it instigates him to do an act which does not makes sense. His mood may also shift to an anger as someone is out to get him. Its regular consumption can make a person addictive to drug abuse.

Marijuana (Cannabis)

Marijuana is a drug which is legalized in a number of states for the purpose of medical use, whereas it is completely banned in most of the states. There are a couple of states which allows it recreational pot.

Consumption of marijuana makes a person feel sleepy or sometimes he may forget things just happened. A person can feel silly and laugh for no reason. Driving after consuming is as dangerous as driving after drinking. Its heavy consumption can also leave a person 'burned out' and not think or care much.

Cigarettes and Other Tobacco Products

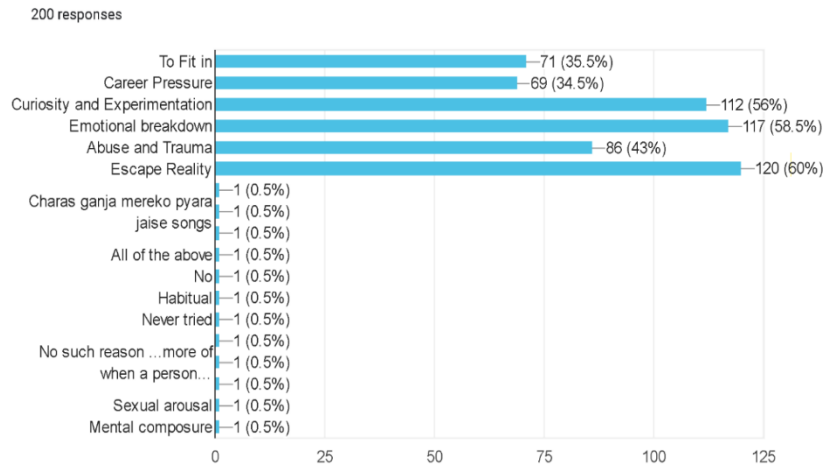
Most of us may not think or consider cigarettes and tobacco products as drugs, because we don't know that tobacco contains a chemical which is called as nicotine that gives a rush of pleasure and energy. Its effects wears off fast and makes us to consume it more, which could be addictive and its continuous intake can make us an addict of nicotine, just like other drugs.

Why people abuse drugs?

Drug abuse is an issue on which different individual gives different reason for his addiction towards drugs consumption. we can differentiate it by doing an analysis of condition of individuals in which they are living like their mental status, age, place, financial condition etc..

Some people consume it get mental relief, some consumes it for the purpose of enjoyment and there are some persons who consumes it just to fit in the society where they are living. There are multiple reasons behind misuse of drugs done by people.

- The following data is taken from the research paper of Namisha Choudhary, Rajiv Gandhi National University of Law, Patiala, published in Jus Corpus Law Journal.



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Depression:- The biggest reason behind the drug abuse is “Depression” i.e emotional breakdown of a person. There are a number of drug abusers who chose this path of drug consumption because of their emotional breakdown. Incidents like death of our loved once, breakup, relationship fluctuations, career failure, family disputes, financial crisis etc. instigates a person towards drug abuse. These incidents break people emotionally, it makes a person depressed when they think of their life without someone or something which they loved a lot, which makes them prone to drug abuse. Since consumption of drugs gives a person mental relief and everyone is not able to handle such situation calmly, one who does not have strength to handle their emotions naturally they move towards the path of drugs or substance abuse for the purpose of relaxation. These substances give an emotional support to the person to get away from the pain, especially when they have no one to share their emotions and to get away from this emotional breakdown they start consuming it continuously which makes them a drug abusive or drug addict person.

Curiosity and Experimentation:- Curiosity of a person can motivate him to do anything in this world. A curious person always tends to try new experiments for the purpose of enjoyment. It is one of the biggest reason why people consume narcotic drugs, in the beginning they try it just because of their curiosity to know what it feels after its consumption. They do experiments by consuming it just to check whether it gives them joy, mental relaxation or not. Many of

⁴ ibid

them consumes narcotic drugs to try new substances for intoxication and ends up in the never ending trap of addiction of drug abuse.

Abuse and Trauma:- Previous traumas, mental and physical abuse are also a big reason behind drug abuse done by a person. A person who is suffering from mental trauma because of any incident happened in his life and has given him from which it is not easy to move on or to forget it, he move towards the path of drug abuse because it helps him to forget it not permanently but atleast for few hours or days. Someone who has gone through mental abuse or physical in his life are also very prone towards drug abuse, most of them don't prefer for proficient treatment to address their injury in a sound manner instead of it they go towards the consumption of narcotic drugs or psychotropic substances because it gives them instant relief from the mental pain they are suffering. Incidents like maltreatment, misshapes, financial crisis, loneliness, permanent physical disability, accident, any kind of injuries happened during adolescence which is reemerging now are the common reason which gives a person mental trauma from which it is not easy to recover and the person gets in the trap of drug abuse for the purpose of mind relaxation.

To fit in:- A common motivator for drug usage in many adults and young adults is the fear of being alone or left out. They believe they will be left alone if they try these things, even if those around them are abusing drugs or substances. Human activity is driven by the need to feel significant or socially accepted, and many young adults and teenagers put pressure on themselves to use drugs in order to fit in.

Career Pressure:- Nowadays, it is quite common for people to have to choose a career of their choice. The desire for a well-paying, socially acceptable job is what puts a pressure on the people. Some people feel a lot of pressure to perform in their line of work, and this often manifests itself in their ability to stand by their own self-esteem. Mental strain can result from this kind of demanding circumstance. It is possible to turn towards the path of taking medicines for the assistance, adaptation, to forget their setbacks of their life, improve performance or to lessen their work-related stress.

Escape Reality:- To escape the reality is one of the most frequent causes of drug abuse. Drugs are designed to provide an enjoyable, delusional influence on the user's mind. These delusions assist people in escaping reality, transporting them to a happy place where they feel free from

their obligations and societal pressure. People who are unable to cope up with the heavy burdens of today's hectic world turn toward the path of drugs as an escape, as the busy world shrugs its shoulders at their obligations.

Other Reasons:- It has been observed that drug abuse is caused by more than just the usual variables. The song "Charas - Ganja mere ko pyara," which is allegedly the source of drug abuse, is mentioned in one of the comments. The song refers to ganja and charra as love substances, even though they are advised against. Apart from this song, there are many other songs and films that show drug use; people find it trendy to follow these kinds of trends despite the warning. This illustrates how young people are encouraged to engage in unhealthy behaviours by behaviours that are praised in music and movies.

Pros and Cons of drugs consumption:-

Pros:-

Releases stress:- The Consumption of drugs and alcoholic substances helps a person to get away from stress, specially when a person is feeling tired mentally or physically. It helps a person to forget every kind of issues and problems in their life. When a person consumes any kind of drugs or alcoholic substances it releases dopamine in the mind which gives him joy and helps him to forget his tensions for sometimes.

Boosts Confidence:- Drugs consumption boosts confidence of a person. After the consumption of drugs a person feels more confident. When a person is high because of consumption of drugs or alcohol he does not has the fear of losing anything which makes him more confident and motivates him to do something which he wants or has a desire to do.

Cons:-

Health issues:- A person who consumes drugs regularly or he has become a drug addict can face multiple types of health issues in his life, like liver failure, kidney failure, mental disturbance. If a person inhales drugs or drinks alcohol he is more likely to suffer from the diseases like throat cancer, liver damage and brain shortage in comparison of a person who does not consumes it. Although the consumption of drugs gives temporary relaxation to the mind and makes thought process of a person very fast, but in long term it badly affects the

thinking capability of our mind. It makes us physically weak also, regular drugs consumption or alcohol consumption reduces the strength of a person, it makes us hallow, powerless and lack of energy.

Loss of reputation:- Although consumption of drugs gives a person confidence to speak or socialize sometimes, but in the long term if a person is an alcoholic or a drug addict loses his reputation in the society he lives, at his workplace. Eventhough he loses his reputation among his friends, family and relatives also, because excess consumption or addiction of any intoxic substances makes a person mentally unstable, he becomes aggressive and is prone to do an argument with anyone, they are usually involved in any kind of fight or violence. Intoxication makes a person do those acts which may be offensive for a respective person in the society and especially if a person has consumed narcotic drugs he is more likely to do those acts. Drug addiction makes a person anti-social, sometimes a drug addict or an alcoholic person behaves in away that is inhumane or not good for mankind, which makes a person to lose his reputation in society.

Financial problems:- Apart from health issues drug abuse affects a person financially also, a person who is an addict of drug, alcohol or any kind of intoxic substances has an unnecessary expenditure on buying of those drugs and especially if the substance which he is consuming is banned he has to spend more money on it. Drugs abuse brings several diseases with it and for the treatment of those diseases a man has to spend money on it also, Sometimes because of intoxication a person can also lose his reputation at his workplace which may result not only in losing of job but also he may face difficulties in finding new one and that can be a big financial hit for him. Overall drugs abuse creates an unnecessary expense for a person which can make a person financially weak and sometimes even broke also.

Legal issues:- Drug addiction can also create legal trouble for a person. The person who are in the habit of intoxication, always tries to explore different ways for it so that he could get more toxic. In the verge of getting high he tries to consume new substances, in which some of them may be prohibited by law also and by consuming those substances he invites legal trouble to his home, which could affect him not only legally but also financially and a loss of reputation. Sometimes the substance which a person consumes is not prohibited by law still it can arise legal trouble for him because of his conduct at the time of intoxication. A man who has consumed alcohol or any other substance which has made him intoxic and intoxication makes

a person not think rationally or makes him fearless about the consequences of his acts and the person commits a crime which he would not have done if he were in his normal mental state.

What is NDPS act?

In 1985 the government of India enacted a law named as Narcotic Drugs and Psychotropic Substances Act 1985 popularly known as NDPS Act to curb down the cases of drugs abuse in the country. The act imposes restriction on the people on the sale, purchase, production, manufacturing, cultivation, possession, transportation, store and consumption of narcotic drugs and psychotropic substances in the country. Although it has an exception of medical and scientific use. The act also consists the provision for the forfeiture of the property used in the illicit trafficking of drugs.

To stop the trafficking, consumption of these illegal drugs the act has the provision of deterrent punishments. Most of the offences of this acts is non-bailable. It consists of rigorous punishments as well as fine also. The punishment for its offences starts from 1 year and goes upto 20 years along with the fine of 2 lakhs and it can be converted into death penalty if the offender has already been convicted for the offence of possession of drugs in a commercial quantity. The act is applicable in all over the country including the Jammu & Kashmir.

Background of the Act;-

NDPS Act is not the first law in India which was enacted to curb down the drug abuse in the country. The Act of NDPS was enacted in 1985 and before there were several laws were enacted since British colonial era to curb down the growing threat of drug abuse in India. The first law which was enacted by British government was The Opium Act 1857 thereafter The Opium Act 1878 came which was followed by The Dangerous Drug Act 1930 and the last one was The Drugs and Cosmetics Act 1940. With respect of time these laws were not capable to cope-up with the changing scenario or developments as per the growing crime rates in the field of narcotic drugs. Those laws were full of loopholes like they had lack of strict penalties against drug trafficking, lack of strong enforcement power, they did not included psychotropic substances which was also an issue, they did not had any provisions regarding the development of new drugs and also they did not had penal provisions for the personal consumption and possession of drugs. Those laws were not effective as expected because of there faults, which made the Parliament to frame a new law which had the provisions to deal with those loopholes

as well as to cope-up with upcoming developments in this field. Apart from these, India also became a signatory to the Single Convention on Narcotic Drugs 1961 and Convention on Psychotropic Substances 1971 which made us obligatory to enact a strict law which can deal with narcotic drugs and psychotropic substances in their regulation and prohibition. Further, Article 47 of the Constitution of India mandates that the “State shall endeavour to bring about prohibition of the consumption except for medicinal purposes of intoxicating drinks and of drugs which are injurious to health”. ()

Offences and Penalties under this Act:-

To make the NDPS Act more effective than the previous Acts which were regulating drugs abuse, the government of India made strict provisions for the penalization of the offences related to drug abuse. A person found guilty under NPDS Act can be sentenced for the imprisonment upto 20 years and fine upto 2 lakhs, in some specific circumstances the punishment may also be converted into death sentence if the person is found to be habitual offender of the same Act.

The offences of this act can be classified in three type:-

Small quantity:- When someone has been found with the possession of drugs in small quantity, he can be penalized with rigorous imprisonment imprisonment which may be extended upto 1 year or fine which may be extended upto 10,000 or both.

Commercial Quantity:- If a person is found in possession of narcotic drugs in commercial quantity he will be punished with rigorous imprisonment which shall not be less 10 years and can be extended upto 20 years and fine of 1,00,000 which may extend up to 2,00,000.

Intermediate (Greater than small but lesser than commercial):- The person found guilty of such offence will penalized with imprisonment which may extend up to 10 years and fine which may extend up to 1.00,000.

Loopholes in the act?

Process of trial:- There is a lot of delay in the trial of the cases under the NDPS Act. It's a popular saying in the field of law that “*Justice delayed is Justice denied*” and so happens in the trial of NDPS Act, the trial of the act takes so much time as the accused spends years in the

jail before the case comes for the hearing in the court, the accused has to face a harsh or difficult life for a long period of time irrespective of the fact whether he is found guilty or not. Although there is a provision of special court for the matters of NDPS Act but most of the states has given them some additional responsibilities of cases to deal with, which causes delay in the hearing of the cases of the NDPS Act.

Delay in the trial of the cases can also affect the accuracy of the evidences related to it, there are high chances of hampering of evidences because of eminent threats by the drug peddlers to the witnesses or because of lapse of time, which may result in acquittal of the real culprit.

The trial process of this act is in contrast with the Indian Jurisprudence also, it says that that the accused will be presumed to be guilty until he is proved innocent whereas the Indian jurisprudence tells that every person is to be presumed innocent until he is proven guilty by the law.

Due to delay in the trial an accused will spend years in the jail and because of which there is a high probability that an accused of this act can be a part of an organized crime or gang in future although he is innocent at current time. Living in the company of criminals for a long period of time can affect the mindset of even an innocent person.

Strict bail rules:- Strict bail rules is the one of the biggest minus point of this act, it is not easy to get a bail under the act. If a person is charged under this act it may take him years to take a bail. The court cannot grant bail to the accused who is charged under the offences of section 19, 24, 27A of the Act and also for the offences related to commercial quantities. Section 35 of the act says that an accused shall be presumed that he had an intent, motive and knowledge of his action and in addition Section 54 of the Act says that an accused shall be presumed to had a possession of illicit drugs and articles seized from him unless there any contrary is proved. The aim behind enactment of this act was to curb down the drug abuse in the country and to fulfill that purpose, the act has such harsh penal provisions that sometimes it overshadows the rights of the accused. In some cases the accused who has been charged under offence of this act belongs to a poor financial background, lack of knowledge, ignorance and because of it he can't avail the remedies he requires which results in his punishment of rigorous imprisonment for the crime which he did not committed.

Ignorance of addiction problem of the accused:- It is good that the act has the strict penal provision for the person who is involved in manufacturing, distributing or selling of narcotic drugs specially it has the harsh penal provision for those who are regular offenders. Apart from this it also has strict penal provisions for those who consume drugs and also a harsh provision for the regular offenders but it fails to notice that most of the persons who are involved in regular consumption of drugs are in a severe problem of addiction to consume it, the act has some sort of ignorance on this point. Although the person starts consuming it voluntarily but very soon he becomes an addict of it, he consumes it continuously for the increase of dopamine in his mind. It badly affects his brain, he loses self-control and his ability to make sound decisions which instigates him to consume drugs. The act has a mention in section 64A regarding the immunity of an addict if he is charged with offences of section 27 of the act or with the offences which involve narcotic drugs in a small quantity and if he voluntarily agrees to go for medical treatment for his de-addiction from an institution or hospital recognized or maintained by the government or any local authority and the immunity will be withdrawn if he refuses to complete his ongoing treatment. The provision of the section 64A sounds good for the addicts but

Perspective of international law & UN on it:-

The perspective of international law on drugs is mostly governed by the three major conventions of United Nation on Narcotic Drugs and Psychotropic Substances, the Single Convention on Narcotic Drugs of 1961 (as amended in 1972), the Convention on Psychotropic Substances of 1971, and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988. The agreements and upcomings of these conventions are binding on the countries. they are bound to control the production and supply of narcotic drugs so that it could not be used for non-medical and non-scientific purpose.

These drugs conventions of UN has two main goals, the first is to prevent the consumption, production and supply of some specific drugs and substances for non-scientific and non-medical purpose and the second one is to control or limit the supply of those drugs which are legally allowed to consume, produce and supply like medicines of pain relief, sleeping pills or any medicine which can be used for the purpose of intoxication. They wanted to control or regulate these legal drugs to prevent the misuse of these drugs.

United Nations Single Convention on Narcotic Drugs, 1961

The main purpose behind this convention was to replace the previous multilateral treaties on prevention of narcotic drugs. Prior to this convention there a number of multilateral treaties were formed and international agreements were done to prevent the production and supply of narcotic drugs and psychotropic substances throughout the world but none of them were effective to curb down it. They lacked a unified universal system to control the drugs. The outcomes of this convention includes those provisions which were lacking in previous treaties like it has unified system of drug control at international level, which has clearly prohibited the production and supply of narcotic drugs and also it has a zero tolerance for the same except for the purpose of medical and scientific use. The convention made its target to abolish the traditional use of opium, coca and cannabis. The target for the abolition of opium was 15 years while the target for coca and cannabis was 25 years, which was completed in 1979 and 1989 as it was started in 1964. As per the different degrees of control the convention had four schedules in which it has kept the list of more than one hundred substances and they were divided as per their degrees. In Schedule I the substances which were considered the most addictive and harmful were kept and in Schedule IV the small number of substances were kept which had very particular dangerous property. Article 2, 5(b) of the convention says that *“A Party shall, if in its opinion the prevailing conditions in its country render it the most appropriate means of protecting the public health and welfare, prohibit the production, manufacture, export and import of, trade in, possession or use of any such drug except for the amounts which may be necessary for medical and scientific research only...”*

The 1971 UN Convention on Psychotropic Substances:-

In the convention of 1961 some substances which were very injurious remained uncovered and also in decade of 1960s a number of substances came in fashion for the purpose of intoxication. Substances like amphetamines, barbiturates, benzodiazepines and psychedelic drugs, these substances were as dangerous as narcotic drugs, so to curb down the growing trend of consuming these psychotropic substances for the purpose of intoxication or mental relaxation United Nation came up with a new convention i.e UN Convention on Psychotropic Substances 1971. Those substances were also listed in the four schedules as per their serious risk factor to the health of a person. Substances like LSD and MDMA commonly known as Ecstasy which causes heavy risk to the consumer is listed in Schedule 1. Schedule 2 includes substances which

are less harmful than those in the schedule 1 like amphetamine-type stimulants, some analgesics and dronabinol or tetrahydrocannabinol. Schedule 3 has the substances whose harmfulness is less than those of 1 & 2. Barbiturate products, flunitrazepam and some analgesics such as buprenorphine comes under the Schedule 3. Schedule 4 consists of the substances which are least harmful to any person like phenobarbital, hypnotics, anxiolytics, benzodiazepines and some other stimulants.

The 1988 Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances:- The UN conventions of 1961 and 1971 was held so that it can put on hold on increasing drug cultivation and consumption throughout the world, despite these efforts by the UN the drug consumption and cultivation continued to rise and it became a multi-billion dollar industry at international level. To curb down the illicit business of narcotic drugs United Nation came with the convention of 1988. The outcomes of this convention were more strict laws, in comparison of previous conventions as they were very flexible in nature. The particular focus of the convention was the organized crimes. It made a requirement for the country to enact strict laws related to prohibition of production, cultivation, supply, trafficking and consumption of narcotic drugs and psychotropic substances. It was said that all the countries should criminalize drugs in their nation.

Conclusion

Drug abuse is a crime where the person who is accused or the guilty of committing it, is also the victim of it. Consumption of Narcotic Drugs is prohibited by the law as it affects mental and physical health of an individual badly. There are high chances that the person who consumes Narcotic Drugs or any kind of substances which is psychotropic may suffers from insanity, although its consumption gives mental relief or extra energy to the person in the beginning but once he becomes an addict of it can have a bad impact on his mind as well as his body like damage of kidney, liver or any internal organs of the body. It is illegal to cultivate, produce, transport, supply, traffic and consume drugs in India as well as at international level except for the medical and scientific use. At international level the law is governed by the three Conventions organized by the United Nation in the year of 1961, 1971 and 1988. As per these Conventions all the countries have to frame a strict law regarding ban on production, supply and consumption of drugs in their respective countries. In these conventions a number of substances were listed as coming in the criteria of Narcotic Drugs and Psychotropic Substances.

A bifurcation was made of those drugs as per their harmfulness, they were divided in Schedules (I-IV) where the most harmful was in the first schedule and the least harmful was in fourth. In India a special law was enacted in the year of 1985 i.e “Narcotic Drugs and Psychotropic Substances Act” popularly known as NDPS Act to govern the crimes related to drug abuse. India was a member as well as signatory of these Conventions of UN. The Act of NDPS is very strict about the issue of drug abuse and has harsh penal provisions for the same. Sometimes it is as harsh as it is criticized for violating the rights of the accused. The fear of harsh punishments prevents a lot of persons to engage in the business of sales of drugs as well as its consumption also. Still it is not being able to curb down the business of drug in the country completely as it has some flaws also like delay in trial. To prevent the commission of this dangerous crime we need to work not only on the aspect of harsh punishments but also on the social and psychological aspect of a person why he enters in this dark world of intoxication despite he knows that it will ruin the happy life of the person as well as his family, friends and relatives because social and psychological aspect has a lot to do with a person decision of doing something.

Suggestion:-

The government of India and the United Nation have done a lot of effort to prevent the drug abuse and have also achieved success at some point but still we need to work a lot in this field to curb down the existing misuse of drug in the country. Although fear of getting a harsh penal punishment stops a lot of persons to consume drugs but still a large number of persons are consuming it continuously, maybe it’s a possibility that the factor which is motivating or encouraging them to consume it is bigger than the fear of getting penalized. The two big reasons which compels a person to abuse drugs, first is to get relief from pain (mental stress or physical injury) and the second one is the purpose of enjoyment. If we focus to convince the person who consumes it for relief that drug is not the solution for their problems in contrast it will make their condition worst with respect of time, there are other alternate ways better than drugs which can help them to get rid of the pain they are suffering without any side effect like meditation, yoga and some therapy sessions. We should make it normal to meditate, do yoga and attend therapy sessions, it is often seen in our society that the person who is doing these kind of acts is considered to be depressed and the person who is smoking weed or any kind of substance that makes them intoxic are considered to be cool and dashing, which creates a negative impact on the mind of the person who is suffering from the pain. Promoting this kind of act can also

create a positive impact on the mind of the persons who consumes drugs just for the purpose of enjoyment, they consume it to be seen as cool guy or sometimes they consume it for the curiosity of knowing its effects on the body. So if we conduct some sessions in the schools, colleges and in societies on “why we should not consume drugs” with having our main focus on the teenage groups, it can create a good impact on their mind which can prevent them from consuming drugs. The reason behind keeping the focus on the teenager is that they are the most who consume drugs for enjoyment, curiosity, experiment and trying to be cool and once they start consuming it they become an addict of it very soon. If a person has become an addict of consuming drug it is very difficult for them to get rid of it, an addict person will not even fear of getting penalized. Sometimes when they try to get rid of it their addiction will make them restless if they stop consuming it. So it is necessary to make the people aware that consuming drugs is not cool in the contrast it will destroy their lifestyle. The characters of a movie create a big impact on a person's lifestyle specially the person who is in the main lead role and it is often seen in the movies that the hero of the movie smokes and is an important part of his image in the movie, they are presented in the way that smoking gives them swag and makes them dashing which leaves an impact on the audience and they try to copy the style of their favourite actors. Although there is a precautionary note given at the bottom of the screen but the character which is being shown on the screen has much more importance on the mind of the audience than that note. They know that what they are consuming is injurious to their health still they consume it. In my opinion the act of making movie characters dashing by showing them smoking should be stopped or it should be shown in a negative way. The easy availability of non-narcotic substances like cigarettes is also a reason behind the people who start consuming drugs. Suppose a person is feeling stressed or a teenage kid who is eager to smoke can go to any shop and get it by spending mere 10 to 20 rupees, there is no restriction for any person specially for the children. Once they start smoking a cigarette and do not get the intoxication that they want they move toward the path of drug consumption which is not good for their life.

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