
LOST GENERATION: DEVASTATING IMPACT OF NARCO-DRUGS ON YOUTH

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ABSTRACT

“It is not the use of drugs that is the problem but the abuse” said by Patrick Betsch. Drugs from the ancient times are used to cure diseases like cancer and act as a supplement that helps an individual to fight against life-threatening diseases. Fundamentally, drugs are chemical substances that change the way the body and mind function. Their use can be broadly classified into two categories: one is for medical purposes which can be termed as the use of drugs, and the other is the misuse of drugs by individuals that could be termed as an abuse. God has given humans resources that are solutions to each and every problem. We have encountered such an amazing flora. For instance, morphine is a strong opioid that is used by scientists in making medicine for cancer patients, it is also used in managing severe pain or in post-surgical pain. Drugs like cisplatin, doxorubicin, and paclitaxel are often used in chemotherapy to kill cancer cells. But if these drugs are overprescribed and overdosed, it leads to diversion in brain functioning which results in dependency and ends up being addicted. This addiction has paved the way in the lives of minors and youth of India. Out of curiosity, minors who are already in vulnerable age experiments and start taking drugs and are unintentionally trapped in this addiction. An act they find cool, turns to be the cold end in their lives. Apart from this, the other aspect that is prevalent in India is the consumption of bhang, which is also known as cannabis, is of great significance in Indian culture. It is mentioned in several Indian texts that bhang is an intoxicating ritual drink that is highly praised in the Rig Veda. In the Atharvaveda, it is mentioned that bhang is one of the 5 sacred plants that relieve anxiety. Sayana interpreted bhang as a type of wild grass, Sushruta Samhita mentioned bhang as a medicinal plant and recommended it for treating Catarrh, Phlegm, and diarrhea. Bhang is not just a drug but religious sentiments are also attached with it, and its consumption is not illegal in India and is even offered to God “Shiva”. Bhang is used in its raw form and when it is processed, it turns out to be a prohibited drug by the virtue of the Narcotics, Drugs, and Psychotropic Substances Act, 1985. Considering bhang as an exception, minors, teenagers, and youth are attracted to drugs, which is a sensitive issue in today’s society.

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I. INTRODUCTION

The Narcotic Drugs and Psychotropic Substance Act of 1985² was introduced in Lok Sabha on 23 August 1985. It was passed by both the Houses of Parliament and received Presidential Assent on 16 September 1985 it came into force on 14th November 1985 as Narcotic Drugs and Psychotropic Substance Act. The act postulated that it is illegal for a person to produce, manufacture, cultivate, possess, sell, purchase, transport, store, and/or consume any narcotic drug or psychotropic substance. The narcotic drugs refer to the sedatives Like opium morphine which primary induce sleep and relief pain and psychotropic substance refers to the substances that slows the nervous system like LSD or amphetamines that alter brain functioning affecting mood and perception and are typically synthetic chemicals. This act does not cover alcohol and caffeine.

This act regulates operations relating to narcotic drugs and psychotropic substances and to provide for the full feature of property derived from illicit traffic. The NDPS has amended 4 times in 1988 2001 2014 and 2021. There are six chapters and 83 sections under the NDPS Act. 2001 amendment prescribed higher punishments anyone who contravenes with the provisions of NDPS Act will face punishment based on the quantity of the banned substances where the contravention involves a small quantity the rigorous imprisonment for a term which may extend to one year or with fine which may extend to ₹10,000 or with both.³

Where the contravention involves a quantity lesser than commercial quantity but greater than a small quantity then the punishment would be rigorous imprisonment for a term which may extend to 10 years and with fine which may extend to ₹1,00,000, And where the contravention involves a commercial quantity the punishment would be rigorous imprisonment for a term which shall not be less than 10 years but which may extend to 20 years and also a fine which shall not be less than ₹1,00,000 but which may extend to ₹2,00,000.⁴

2014 amendment relaxed restrictions placed by the Act on Essential Narcotic Drugs that is morphine, fentanyl and methadone making them more accessible for use in pain relief and

² The Narcotic Drugs and Psychotropic Substances Act, 1985(act no.61 of 1985).

³ *Id.*²

⁴ *Id.*²

palliative care.⁵ The Amendment also contained measures to improve treatment and care for people dependent on drugs, opened up the processing of opium and concentrated poppy straw to the private sector, and strengthened provisions related to forfeiture of property of persons.⁶

The 2021 amendment under section 27 of NDPS act possession of small quantities for person junction of drugs is a punishable offense and can attract a fine of rupees 10,000 and imprisonment of six months or both.⁷ The Union Ministry of Social Justice and Empowerment has recommended decriminalization of possession of small quantities of drugs for personal use the ministry suggested that the NDPS Act be amended to treat the consumer of drugs as victim who ought to be referred for rehabilitation and de addiction and not as criminals to be sentenced to jail.⁸

II. MEANING OF NARCOTICS DRUGS AND PSYCHOTROPIC SUBSTANCES

The term narcotics is believed to have been coined by the Greek physician Galen to refer the agents that numb or deaden, causing paralysis or loss of feeling. It originally refers to any substance that relieved pain, dulled the senses or induced sleep. But now this term is used in many different ways some people might define narcotics as substance that bind at opioid receptors while others refer it to any illicit substance as narcotics. From US legal perspective narcotics refers to opium, opium derivatives and their semi synthetic substitutes.⁹

Psychotropic substances are often used interchangeably in journal and academic sources to describe substances that act on the brain to alter cognition and perception some sources make a distinction between the terms 1 narrower definition of psychotropic refers to drugs used to treat mental disorder such as anxiolytic sedatives, Antidepressants antimanic agents and neuroleptics. Another usage of psychotropic substances refers to high abuse liability including stimulants, hallucinogens, opioids and sedatives/ hypnotics including alcohol. In international drug control psychotropic substances refer to the substances specified in the Convention on Psychotropic Substances which do not include narcotics.¹⁰

⁵ www.thehindu.com, "Passing of NDPS Act Amendment Bill will make morphine more accessible", 22 February, 2014.

⁶ "Parliament passes the NDPS (Amendment) Bill, 2014: many gains; some losses".

⁷ "Drug consumption Consensus emerges on decriminalizing personal", The Economic Times.

⁸ "Avoid jail for drug users, seizure of small amounts: Social justice ministry", The Indian Express, 24 October, 2021.

⁹ "Narcotic drug addiction help rehabilitation recovery", www.rehab-referral.org.

¹⁰ HRB National Drugs Library: Psychoactive drug or substances" July 30, 2024.

III. HISTORIC PERSPECTIVE

In the modern era science and technology where lot of medicine are available to cure disease but many drugs contain some properties which is extracted from certain plants which have some healing properties for human body only if taken in a prescribed amount otherwise it will affect human body some of these plants and their seed are also used as food. In 2727 BC it was recorded that cannabis is being used as a medicine in Chinese pharmacopoeia after that use of cannabis was widely observed all over the world in a variety of health issues. Around 1200 BC or even earlier the Indians mentioned cannabis as “Sacred Grass” in the Atharva Veda. In Herodotus history 430 BC there is a mention of rituals and recreational use of cannabis by the Scythians steadily over the next few hundred years the Romans, Jews, and Arabs became well acquainted with the Psychoactive and euphorian properties of cannabis with which the use of earlier hashish spread over the globe.

The Egyptians who had been cultivating poppies for production of opium started trading this popular commodity as far away as with Greece and even central Europe. Hippocrates the father of the medicine in Greece (330 BC) wrote about opium usefulness in curing a number of diseases, particular, diarrhea. Egyptian and European opium after being produced was exported to the Far East and it also entered China through Arab traders. In 1796 China Government in its wisdom declared Opium as illegal and after forty years tried to ban because England through East Indian Company developed a monopoly in opium export to China enjoying a booming business due to banning in China it led to a clash of business of the Britishers. English observer of the time “JOHN BARROW” wrote “It is a curious circumstance that we grow poppy in our Indian Territories to poison the people of China in return for a wholesome beverage which they prepared almost exclusively for us”.

By the early 20th century opium and its derivatives, morphine and heroin, had become a major global commodity¹¹. For the first time an opium an Antiopium movement started partly because of the pressure created by the prolonged deliberations and through a complex diplomacy up to 1925 the League of nations adopted restrictions on the recreational use of heroin and opium. By the 15th century it was the period in which the first cultivation of opium done in India. India has a long history of controlled poppy cultivation and profiting from its associated revenues. The Mughal emperor Akbar who ruled India from 1543-1605, was the first to collect revenue

¹¹ Narcotic Drugs and Substance Abuse by Debasis Bagchi.

from opium cultivation in India the whole of North India and parts of Central and Western India cultivated opium¹².

The “Ain-I-Akbari” on the Institute of Akbar forms the volume (III) of the Akbar Namah by Sheikh Abul Fazl shows that property at that time was cultivated in the Subas (provinces) of Agra, Allahabad, Delhi, Lahore, Multan and Malwa is specially noticed. The people of Malwa according Abul Fazl were even in the habits of giving opium to the children until they were three years old¹³. The illegal production of drugs and their distribution and consumption have intimidated the law-abiding people and corrupt public servants even affect the governments. The sum amount involved in the illicit trafficking of drug is around \$500 billion per annum more than 98% of the money is illegally earned through the drug business. The international bodies dive deep into the dangerous problem and took measures with the cooperation of the member countries to prepare the ways for coming out from such problem and make sure that all nations must be drug free.

The effort started in the early 20th century by the certain countries in their wisdom or even to protect their wisdom and their national interest which is followed by the meetings of the league of nation. After the second world war some countries like USA stressed more on the aspects of prohibition of drugs but some wanted to deal in the same substance for making a good profit.

IV. HOW YOUTH IS DEVIATED

Drugs and psychotropic substances had become a global pandemic nowadays and with its increasing impact specially on youth is of great danger. The abuse of drugs or psychotropic substances not only affect the individual who decides to take but it also impacts the family, community and nation at large. According to World Health Organization over 30 million people across the globe have drug use this order with about 11 million on opiate drugs. The United Nations Office Drug and Crime notes that 18 to 20 years of age group is associated with the maximum usage of illicit drugs.¹⁴ During this. Adolescents have a strong inclination towards experimentation curiosity and sustainability and susceptibility the peer pressure rebellion against authority and poor self-worth which make such individuals vulnerable to drug abuse community.¹⁵ Socioeconomic challenges have also been regarded as another major

¹² <http://hdl.handle.net/10603/27892>

¹³ Final report of the Royal Commission on opium. Vol.7 (1894) p.32.

¹⁴ United Nations Office Drug and Crime Global Illicit Drug Trends, United Nations New York, 2022.

¹⁵ United Nations office drug and crime, “Global Illicit Drug Trends”, United Nations, New York 2022.

contributory factor to drug and substance abuse among the youth. High poverty levels coupled with deteriorating economic environment have left many young people idle and depressed, only to find solace in illicit substances. The availability of cheaper drugs and perceived benefits of taking drugs were also identified by El kazdouh and some other factors influencing drug abuse among youth.¹⁶

Alcohol is the most commonly used proactive substance by people in India followed by cannabis and opioids, according to the national survey states with highest prevalence of cannabis use include Uttar Pradesh Punjab Sikkim and Chhattisgarh. Over 30 million individuals use cannabis products and about 2.5 million suffer from cannabis dependency. The report also said that 22.6 million people use opioids and approximately 7.7 million individuals require help for opioid use problems.¹⁷

It was also found that opioid users comprise 2.06 percent of the country's population and that 1.7% of children and Adolescents inherent users and Adults 0.5 Percent. The report noted that among people suffering from dependence on illicit drugs 3 in four persons don't receive treatment. Health experts warn that the figures for substance abuse in India are actually much higher, other categories of drugs namely cocaine amphetamine type stimulants inhalants and hallucinogens are used by a small portion of the country's population.¹⁸

The findings indicate that despite the existence of strict drug control laws and a multitude of agencies working towards drug supply control throughout India a wide variety of controlled drugs are still being used Results also indicate a shift in demand of proactive substances from traditional low potency plant-based products like opium to more potent and processed products like heroin cocaine hashish etc.¹⁹

Talking about Punjab the number of patients in Punjab outpatient opioid assistive treatment clinics increased from around 4,00,000 to 8,00,000. It is an alarming situation Because addiction is increasing and that is also because of easy availability of drugs and consequence of this falls directly on society neighbors and families.¹⁷ Other Indian states such as Himachal Pradesh, Mizoram, Manipur, Maharashtra, Assam, Arunachal Pradesh, Uttar Pradesh are all in

¹⁶ El Kazdouh, "Parents and Teachers perceptions of risk and protective factors of substance use in Moroccan adolescence: A qualitative study", 2018.

¹⁷ www.thehindu.com "India Staring at a substance abuse crisis", December 27,2022.

¹⁸ *Id.* at 17.

¹⁹ www.thehindu.com, "India is staring at a substance abuse crisis", December 27, 2022.

the amidst of drug abuse.

Some commonly used drugs are opiates which includes heroine, smack, Dodde, Bhuki, opium, cough syrups, capsules and tablets. Alcohol which is considered the cheapest source of addiction which can damage almost every part of the human body alcohol is consumed in the form of Scotch, Whiskey, beer, vodka, gin, rum and some heritage drink of different parts or states of India. Cannabis which basically includes bhang marijuana and hashish.²⁰

Then comes the cocaine which is obtained from coco bush which is famous for its uncontrolled aggression. Did tobacco and cigarettes are the active ingredient in tobacco is nicotine cigarette is considered as a sign of so-called male macho. Amphetamine which is highly potent and highly addictive stimulant similar to cocaine in its effect on the body and mind. Then comes another category of a miscellaneous group which includes alprazolam, analgesics, petrol fumes, iodex, insecticides, snake venom, and thinner.²¹

V. JUDICIAL APPROACH

The Narcotic Drugs and Psychotropic Substances Act 1985 is a stringent law An Indian judiciary has laid down several judgments to ensure procedural fairness and protect the rights of accused while maintaining the ACT objectives. In the case of Toofan Singh versus State of Tamil Nadu Supreme Court held that officers empowered under Section 53 of NDPS are police officers within the meaning of Section 25 of Indian Evidence Act.

In another landmark judgment of state of Punjab v. Baldev Supreme Court held that Section 50 of NDPS Act which deals with the right to be searched in the presence of gazette officer or a magistrate is mandate the failure to inform the accused about his rights make the search illegal and the conviction based on such a search becomes unsustainable.²²

In a recent case of Muhammad Khalid v. State of Telangana, Supreme Court emphasized that mandatory provision procedure under Section 52 that is preparation of inventory and sampling in the presence of magistrate must be followed.²³

²⁰ Journal of Drug Delivery and Therapeutics, “The problem of drug addiction in India: its consequences and effective measures”, Dr Jasleen Dua,2022

²¹ *Id at 20.*

²² State of Punjab v. Baldev Singh, (1999) 6 SCC 172.

²³ Muhammad Khalid and Another v. State of the Telangana, (2024) INSC 158.

In *Karnail Singh v. State of Haryana* court held that Section 42 clause one and 42 clause two demand that information must be written down and sent to a superior officer before a search the Supreme Court held that substantial compliance is sufficient allowing for delayed reporting in cases of extreme urgency.²⁴

Talking about the high-profile case of Indian actor Shah Rukh Khan's son Aryan Khan who was arrested on October 3, 2021 by the Narcotics Control Bureau during a raid on a luxury cruise ship of Mumbai. Aryan was arrested of possession, consumption and purchase of banned substances which charges under section of Narcotic Drug and Psychotropic Substances Act. However, Aryan's lawyer claimed that he was falsely implicated and didn't possess any contraband. He spent 22 days in jail and was granted bail by Bombay High Court on October 28th 2021. The court ruled that there wasn't enough evidence to charge him and NCB didn't find any drug on him.²⁵

VI. CONSEQUENCES OF ADDICTION

In today's scenario drug addiction is a kind of a disease which has penetrated deep into the society. Since every coin have two sides similarly drugs have positive as well as negative impact on society. The positive aspect is to the patients who suffer from deadly disease and it is helpful for scientists to discover new medicines, Since India is a biodiverse nation and religion is the backbone, so essentially customs play an important role and in among Hindu's bhang is considered to be sacred; which is even offered to Lord Shiva and is widely used on Holi festival is considered as an exception. The other side which is considered barbaric to the society to the people and most importantly to the youth of India.

Drugs badly impact the nervous system of a person and not only that it dysfunctions the brain with the chemical produced like dopamine and serotonin that affects the entire body psychological effects that are caused by drug consumption our irregular breathing increase in heart rate and blood pressure and can even cause heart, arteries, and lung disease. Respiratory problems like lung cancer, emphysema, asthma, failure of kidney and liver abnormal pain, weak immune system are all considered to be the impacts of drugs on a human body. Not only this when the person is under the influence of drugs he is most likely to experience physical

²⁴ *Karnail Singh v. State of Haryana* (2009), 8 SCC 539.

²⁵ www.indiatimes.com, "Aryan Khan drug case: Bombay High Court grants bail to Shah Rukh Khans son, 2 others", October 28,2021.

injuries and could end up with accidents and when people are not able to quit this addiction they end up committing suicides.

VII. MEASURES FOR CONTROLLING DRUG ABUSE

- Family and friends support plays a pivotal role in the recovery of addiction which is a life long journey in itself and it requires hard commitment and family. It's the only way that can help in long term recovery by maintaining a healthy environment for the drug addict and motivating him within the 4 walls of the house can definitely help the drug addict to be free from this addiction.
- Since the problem of drug abuse is so chronic in India that de-addiction centers are set up by the government in different parts of the states. The Ministry of Social Justice and Employment have been implementing programs for prevention of alcoholism and substance abuse. For instance: drug de-addiction cell civil hospitals, Red Cross drug addiction centers, etc. can help in curtailing this addiction.
- Government should strengthen the laws so that the sale and purchase of drugs or any sort of illicit substance is not freely or easily available to teenagers or any other person. Talking about the cultivation government should impose higher duties and should supervise the cultivating land and should give license to the restricted population and should ensure strict compliance on cultivation, sale and purchase. Government should make sure that these illicit substances which are being cultivated for the benefit of patients, research and use for scientific purposes only.
- Awareness programs should be conducted by government authorities or NGOs that work for public welfare, apart from this compulsory education in school, colleges or institutions should be given so that youth is not diverted.