

DRUG SMUGGLING IN INDIA: AN ANALYSIS

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Abstract

Drug trafficking is the most serious problem of not only India but all over the world. This drug trafficking menace knows no boundaries. It has expanded its gumshoe beyond the geographical borders. This paper is an analytical study which is based on secondary data available on the internet. As Drug trafficking means distribution and sale of illegal drugs. There are almost 2 million heroin addicts in India. But unofficially there are more than 6.5 million addicts. In short, major population of India is involved in the drug trade. In this paper, researcher defines and tries to find out the answers of some questions: what is drug and its history? What is drug smuggling? What are the different routes of drug smuggling, how it is reaching in India? Various Indian laws relating to drug then how social media is promoting drug use among the people? How illegal movement of drugs through borders posing threats to national security? Also, these days COVID-19 is at its peak again, so how it is impacting the drug trafficking and lastly Researcher wants to give some suggestions to curb this menace from the society.

keywords-Drug trafficking, narcotics, borders, opium, heroin, cannabis, consumption, smuggling, national security, illicit.

INTRODUCTION

Drug smuggling is the serious problem for almost all of the countries around the world. India is one of the biggest adda of drugs for consumers. According to the demand of consumers, the supply is fulfilled. Drug smuggling means production, distribution and sale of illegal drugs. In Drug trafficking there is the distribution of drugs by involving more and more people into it and making them addicts. Drug smuggling is made up of two words: Drugs and smuggle. Smuggle means to send a drug from one place to another and Drug is a substance which when consumed in large

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quantity it dulls the senses or relieves the pain and affects the physical and mental health of a person. On the other hand it is also used for medicinal purpose. But quantity for medicine is generally very small. It is such a strong substance that such a small amount of drug can get mix with the blood of a person and makes him numb. When person wants to relieve the stress, any sadness or frustration, then he move towards the drugs. The addiction of drug not only destroys the life of the individual but also life of the family and dependents of the addicts. There are various methods of consuming drugs such as smoking, injecting, or inhaling. It depends on the consumer how effectively it impacts his/her brain. These days drugs used commonly are: Codeine, Heroin, Cannabis, Chitta, Morphine, Opium, Steroids and LSD (lysergic acid diethylamide). As, Drugs are being smuggled by the Afghanistan, Pakistan and Nepal etc. and then further send to various countries for consumption. While referring particularly about India, the most drug addicted age group is of 18-35 years. Therefore, the majorly youngsters are involved in the drug consumption. India's nearness to two world's largest producers of opium and synthetic drugs and its large pharmaceutical base has made the country not only a channel but also a source for drug trafficking. This illegal movement of narcotics and drugs pose threats to national security. Money coming out of narcotics is used as an aid for terrorism. Most countries are working constantly in order to prevent the use and distribution of those drugs which are not legal. There are different types of punishments in different countries.² Therefore, in today's modern world where knowledge and values should be pursued by the mankind but instead of this drugs are taking place and making life worst.

HISTORICAL BACKGROUND OF DRUGS

India's history shows that Indian people were accepting the use of drugs like Charas and Ganja. Referring from Vedic times, cannabis which is today popularly known as Marijuana, has been used for scientific and medicinal purposes and to perform some religious ceremonials and customs. Also, *it is mentioned in Vedas as a sacred plant and known as 'Vijaya'*. Interestingly, Lord Shiva was also known as Lord of Vijaya, and his followers use to smoke Ganja, drink ghota or have

² Drug Trafficking in India, Sakshi Sharma, Retrieved from: <https://aishwaryasandeep.com/2021/08/16/drugs-trafficking-in-india/>

Charas to reach a trance-like meditative state. In 330 BC, *Alexander* had introduced opium to the people of India and at that time it was widely used for its medicinal purposes. From the *Mughal Era* onwards, opium became a popular and widely used as entertaining drug. The *British East India Company* took the total control of opium cultivation and started trading it where it was legal and smuggling it where it was illegal. Then it was become the business of British colonial rulers. Later on in 1800-1900's, China attempted to suppress this illegal trade of trafficking of drugs from India to China. In 1868, the government of United Kingdom took the decision to restrict the sale of opium in the Pharmacy Act. In 1914, Harrison Act practiced in the United States. No doubt sale of opium brought huge profits, but by seeing the bad effects, government had to restrict it in order to prevent the worse effect of drugs on addicted people. The 1940s brought prohibition of opiates and in 1960s there was prohibition of marijuana. Later on after independence, the story was no different. It remains the same. It has been restricted but now these are getting trafficked from one place to another through illegal manners. The point is that drugs were illegal but unfortunately could not restrict the actual sale and distribution.³ Then in 1985, NDPS (Narcotic Drugs and Psychotropic Substances) Act came into existence to curb this menace from the society. This Act prohibits the consumption, purchase and sale of drugs. The Act provides for severe punishment to person who is violating this Act and sometimes death penalty could be awarded to the offender. Also, India is signatory to three conventions: Convention on Narcotic Drugs 1961, Convention on Psychotropic Substance 1971, Convention against illicit traffic in NDPS, 1988.

Thus, it has been seen that drug problem is an evil that needed to be uprooted. The most popular drugs used these days are synthetic drugs like Amphetamine and Methamphetamine, morphine, Rohypnol, etc. Also, there are other drugs like opium, bhang, ganja, chitta and heroin are some of the drugs which come under the category of narcotics and are also smuggled into India. However, time has changed and so as the pattern. Today smoking cannabis is same like smoking tobacco. It's the synthetic drugs that are now ruling the markets all over the world. ⁴

³ Drug Trafficking in India, Nishka Prajapati, Retrieved from: <https://www.legalserviceindia.com/legal/article-2839-drug-trafficking-in-india.html>

⁴ Ibid

DRUG TRAFFICKING AND ITS ROUTES IN INDIA

Drug trafficking is defined as a worldwide illegal trade which involves the cultivation, manufacture, production, distribution and sale of substances which are subject to drug prohibition laws. Drug trafficking is associated with other forms of crime, such as human trafficking, terrorism, illegal organs trade and money laundering. These drugs are trafficked all over the world using various modes of transportation and the country's borders with the help of the poor, uneducated Indians living on the borders of India and because of this traffickers are in position to move these illegal drugs easily. This trade is now rising using the sea routes by Bay of Bengal, the Rann of Kutch or by the Mumbai port. These are all important points for entry of drugs in the country. Also, Air routes are used by traffickers. Although they are risky but they use to smuggle various drugs through personal carriers, postal services, etc.⁵

India's closeness to the *Golden Crescent and Golden Triangle* has made India a hub of drug trafficking. These are the majorly opium production regions in the world. Drugs arrive in India from Afghanistan, Pakistan, Thailand, Iran, Myanmar and Bhutan through its shared borders.

1. **Indo-Pak Border:** The largest producer of opium and cannabis in the world has made it vulnerable to the trafficking of heroin and hashish. The global trafficking of illegal drugs shows that among all the drugs, heroin and cocaine are the drugs which trafficked for larger distances than to hashish.
2. **India-Nepal Border:** Marijuana/Ganja and Amphetamine Type Stimulants (ATS), which are widely popular and consumed locally, travel the shortest distance among all drugs. Nepalese and Bhutanese cannabis is smuggled into India and pharmaceuticals containing psychotropic substances which are prescribed as painkillers and anti-anxiety drugs such as diazepam, alprazolam, buprenorphine, etc. are trafficked from India to Nepal.
3. **India-Myanmar Border:** Around 85% of the total opium produced in the Golden Triangle region is produced in Myanmar. Almost 60 to 65% enters the international market through Myanmar-Thailand route; the remaining enters India through the poorly guarded India-

⁵ Drug Trafficking in India, Retrieved from: <https://rehab.in/learn/drug-trafficking-in-india/>

Myanmar border. From there, they smuggled heroin and psychotropic substances in Indian states of Mizoram, Manipur, and Nagaland.⁶

- 4. Indo-Bangladesh Border:** It has been vulnerable to the smuggling of various kinds of drugs ranging from heroin, marijuana/ganja, hashish, brown sugar, cough syrups, etc. There is designed network of railways and river routes from where drugs get smuggled from India to Bangladesh. Moreover, drugs are traffic across the border by individual carriers who largely consist of poor women and children employed by brutal drug lords and nobody raise any suspicions towards them and they can cross the borders easily. Over the last few years, sea routes are also being used to smuggle consignments of heroin and ketamine to East and Southeast Asian countries like Malaysia, Singapore, Thailand and China. Seized packages have been traced back to Chennai, Trivandrum and Calicut which signifies that drugs are being trafficked in large container vessels from these ports.⁷ *Nowadays, Courier and postal services* is seen as a new way of transportation of drugs by traffickers due to the concealment linked with its use.

Case illustration: There was an officer of DRI Chennai, who busted a use of international courier company for smuggling the narcotics substances outside India. Based on specific intelligence, the officers had seized a package of different tablets which was getting exported to United States of America in the name of herbal Ayurvedic medicines. Then the officers were able to find the location of the international call centre in Jaipur and run by one of the customer who used to order tablets like Alprazolam, Tramadol from buyers in USA and were able to apprehend the master mind behind the cartel.⁸

LAWS RELATED TO DRUGS

⁶ Golden Crescent, Retrieved from: https://en.wikipedia.org/wiki/Golden_Crescent

⁷ What is the Golden Crescent and Golden Triangle? Know about its effect on India, Retrieved from: <https://www.jagranjosh.com/general-knowledge/what-is-the-golden-crescent-and-golden-triangle-1607520756-1>

⁸ SMUGGLING IN INDIA REPORT 2019-2020 Directorate of Revenue Intelligence, Retrieved from: https://dri.nic.in/writereaddata/dri_report_dat_1_12_20.pdf

India has a large chemical and pharmaceutical industry and it imposes extraordinary challenge to drug law enforcement agencies in India. Therefore, it is necessary to maintain a relation between the legal activities of Indian pharmacy companies and illicit manufacture of drugs.

CONSTITUTION: Drug law enforcement in India originates its strength from *Article 47 of the Constitution* of India, which says that the “State shall endeavor to bring about the prohibition of the consumption of drugs and intoxicating drinks (except for medicinal purposes) which are injurious to health.” Further, Central or State Legislatures can make law are defined in three lists of the *Seventh Schedule of Constitution*.

NARCOTIC DRUGS AND PSYCHOTROPIC DRUGS S ACT, 1985: This act prohibits the production/manufacturing, cultivation, consumption, sale, purchase, trafficking or possession of any psychotropic substances or narcotic drugs. Also, a Narcotics Coordination Centre (N-CORD) was set up in 2016 for better coordination between various Central and State Agencies.⁹

THE INDIAN PENAL CODE 1860: This code provides provisions for prohibition of obscene, defamatory statements or any statement creating disharmony/ enmity in the society and the punishments for the same.

DRUG AND MAGIC REMEDIES (OBJECTIONABLE ADVERTISEMENT) ACT, 1954: This Act has been enacted to control/prohibit the advertisements of drugs in some specific cases.¹⁰

PROHIBITION OF ADVERTISEMENT ON TRADE AND COMMERCE, PRODUCTION, COMSUMPTION AND SUPPLY DISTRIBUTION ACT, 2003: It places restrictions on advertisement related to Cigarettes and all other Tobacco Products. Specifically section 5 of Act prohibits both direct & indirect advertisement of tobacco products in all forms of audio, graphic and print media.¹¹

DRUG TRAFFICKING AND ITS IMPACT ON NATIONAL SECURITY

⁹ Drug Laws in India, Retrieved from: Drug Laws In India - iPleaders

¹⁰Siddharth, The Information Technology Act and Media Laws, Retrieved from: The Information Technology Act And Media Law (legalserviceindia.com),

¹¹ Sylvine, Laws Governing Advertisements in India, Retrieved from: <https://blog.ipleaders.in/laws-governing-advertisement-india/>

India is a traditional customer of opium and cannabis offshoots like ganja, bhang, hashish, chitta etc. Earlier most of the demand was met locally with only a fraction of them being smuggled and the quantity smuggled was very less and it did not raise any fear in the political formation of the country. India has been on the verge of receiving end of terrorism since the 1970s and is among the top ten countries in the world affected by terrorist actions. Terrorism requires a lot of money and more often they are funded by drug trafficking processes. As opium or cannabis cultivation areas of the world are also home to terrorist organizations like the Lashker-e-Taiba, Jash-e-Mohammad, Al Badar & Hizbull Mujahidin, Nexalites and Maoist. Therefore, there is a large scale inflow of heroin and hashish from Golden Crescent and Golden Triangle to India. Its disastrous consequences are that drug trafficking has become a major cause of concern. From last few decades, availability of drugs in large quantity added a new dimension to this problem of drug trafficking in the country.¹²

So, Indian Government has taken several steps to deal with drug trafficking problem:

1. The '*Nasha Mukta Bharat Abhiyan*' was flagged off on 15th August 2020 across 272 districts of the country found to be most vulnerable based on the data available from various sources.
2. National Action Plan for Drug Demand Reduction (NAPDDR) for 2018-2025 has been implemented by Ministry of Social Justice and Empowerment.
3. Narco-Coordination Centre (NCORD) has been established by the Government in November, 2016.
4. Also, National Fund for Control of Drug Abuse has been set up by the Government to combat the illicit traffic of Narcotic Drugs by rehabilitating addicts and educating public against drug abuse.¹³

HEALTH ISSUES FACED BY THE ADDICTS

India today is suffering with so many health issues which include mental and physical health and this is due to the youth wearing the blanket of drugs. There are so many steps taken by the

¹² Drug-trafficking as a Non-traditional Security Threat: Emerging Trends and Response, Retrieved from: file:///C:/Users/HP/Downloads/2178-Article%20Text-4047-1-10-20191228%20(1).pdf

¹³ Drug Trafficking in India, Retrieved from: <https://www.insightsonindia.com/2021/08/17/drug-trafficking-in-india/>

government and the people to curb the menace of drug abuse and drug trafficking in the country are as follows: in movie theatre, before the movie began a small social video is played, also in YouTube, twitter, Netflix, Amazon prime and much more channels are working towards resolution of this serious issue by making these types of videos, to spread the moral and legal awareness in the society. According to 2019 Report of Ministry of Social Justice and Empowerment around 34.1% of India's population aged 9 years to 72 years are engaged in illicit drug use.¹⁴

Specific Health issues faced by the use of drugs are:

1. It deteriorates the immune system of a person and increases the chances to infections.
2. Injected drugs can lead to collapsed veins and infections of the blood vessels and causes heart attack. The liver has to work hard and it can cause damage or liver failure.
3. It results in stroke and brain damage that can have effect on all facets of daily life, like problems with memory, attention and decision-making.¹⁵

IMPACT OF COVID-19 ON DRUG TRAFFICKING IN INDIA

The drug trafficking has been severely affected due to movement restrictions imposed during this pandemic. The borders were closed and as a result, the important route for drug trafficking was closed. Heroin is now trafficked by land, cocaine mostly by sea, and synthetic drugs by air. The biggest impact has been on countries where most of the drugs were trafficked through the air because of the air restrictions imposed by several countries. There is increased seizure of opium and cocaine through sea indicates trafficking through these routes to Europe. The reduced trafficking of the drugs has led to the storing of the drugs and there can be chances that if restrictions are over then there would be over-supply of drugs and can also cause overdose of drugs which is injurious to health.

¹⁴ India's illicit drug trade is being fuelled by prescription drugs and controlled chemicals, Retrieved from: <https://scroll.in/article/1000811/indias-illicit-drug-trade-is-being-fuelled-by-prescription-drugs-and-controlled-chemicals>

¹⁵ibid

There are many countries who reported drug shortage at the trade level. There is a shortage of drug supply which affects its consumption. An increase in the use of pharmaceutical products such as benzoparadines has been reported and price of these drugs have been doubled in some areas. This shortage has led to increased use of injecting drugs. This can be very harmful as they can lead to various risks of diseases like HIV and Hepatitis B-C. The COVID-19 is causing economic problem and this will affect the drug consumption level of the addict. There are many people who have lost their jobs and there are many chances that they would have enter into the illicit drug trade to make their living.¹⁶

CONCLUSION AND SUGGESTIONS

The trends and patterns of drug trafficking these days explain that there is a shift of drugs from traditional/natural drugs to synthetic drugs that are being trafficked and consumed in the country. Earlier, a large quantity of heroin and hashish were smuggled from the source areas into the country through various borders. But now the situation is no different, these drugs still trafficked, although, in lesser quantities, the share of synthetic drugs such as codeine based pharmaceutical preparations has gone up tremendously. Various research and newspaper reports indicate that drug consumption and trafficking are increasing at a great extent. To deal with the problem of drug trafficking and to protect the country's borders against such infringements. India has enacted stringent anti-drug laws.

SUGGESTIONS

1. Firstly, step up the efforts to reduce the demand. It is done by limiting the opioid distribution through prescriptions and this will limit the need for illegal or illicit opioids.
2. There should be special task force officers assigned for the reduction of drug trafficking in each community and this would limit the number of individuals involved in this trade. By Adding more personnel to this, emphasizes these communities the great support.

¹⁶ Impact of COVID-19 on illicit drug supply : UNODC report, Retrieved from: <https://blog.ipleaders.in/impact-covid-19-illicit-drug-supply-unodc-report/>

3. “Say No to Drugs” campaign to drugs is just one version of education that could be offered to children.
4. Offer counseling, therapy to addicts. There should be more and more addiction services like rehabilitation centres for the drug users. Because Drug trafficking may seem like a victimless crime to some, but addiction can cause whole communities to suffer.
5. Then, gather Information regarding drug trafficking, doing its analysis and dissemination capabilities which is needed to be strengthened.
6. The issue of corruption in the border guarding forces as well as in other concerned agencies has to be dealt with in a practical manner. If any officials found guilty of drug trafficking then they should be punished severely and there should be suitable reward systems to personnel who work diligently towards preventing drug trafficking.
7. Above all, countries should maintain greater cooperation with neighbours on matters of drug trafficking.