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A Critical Impact Analysis of Drug Abuse by the Juveniles of Indian Slums

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ABSTRACT

Drug Abuse is a social evil growing its poisonous roots amongst the youth and juveniles. A major portion of juvenile population resides in slum areas and beings easy victims owing to the social structure and vulnerable surrounding. This research paper aims to study the factors responsible for the drug abuse by the juveniles of the slums and the impact of such drug abuse. The paper describes how the juveniles of the slums who abuse drugs and psychotropic substances fall under vicious cycle of drug-crime to continue their drug addiction. The paper aims to study the scopes and techniques of breaking the drug-crime cycle through early intervention and if better scopes of rehabilitation and reformation could be provided to the juveniles of the slums with reference to the Juvenile Justice (Care and Protection) Act, 2015.

Keywords: *Drugs, Psychotropic Substance, Juveniles, Slums, Intervention, Awareness, Drug-Crime Cycle.*

I. INTRODUCTION

Any substance that is consumed, smoked, injected, inhaled or stuck under the tongue via a patch which brings physiological and psychological changes in our body is identified as drug. Drugs have existed in our society from the start of our civilization in the form of Alcohol, Opium or Poppy Seeds. The usage of drug is not a new phenomenon; it is so ancient that it has found its ways into many religious and cultural traditions of several communities but it was never an encouraged behavior or a widespread problem in the earlier times. In the 80's after the introduction of processed drugs, like Cocaine, LSD, Heroin the usage and abuse of drugs increased but was limited to certain communities, groups, cults and professions. The usage of drugs has been on rise for quite a long time now and has become a grave problem for India. UNICEF has identified that the active number of drug users fall under the age group of 14-20years worldwide, which is a serious issue especially for India as India has the largest number of children and youth population in the world and this population strength is at risk of becoming a burden due to the increasing number of drug abuse and drug addiction. We cannot ignore the

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fact that a large portion of India's Youth population resides in slums and the incidents of increasing number of drug abuse in slums have been reported. A large section of juveniles and youth residing in the slums of India falls under the vicious trap of drug-crime cycle and become drug dependent. Amongst them, the most vulnerable section to fall victims of drug abuse and drug addiction is the Juveniles of the slum. This paper aims to study the factors responsible behind drug addiction of juveniles of the slum to find out the scope of rehabilitation and reformation through early intervention process in the drug-crime cycle.

II. JUVENILES UNDER THE JUVENILE JUSTICE (CARE AND PROTECTION) ACT, 2015

Whenever the word juvenile comes to our mind we automatically think about a young person under the age of 18 years who is in conflict with law. This might be because of the previously existing juvenile justice laws in India which were mainly focused on juvenile delinquents and gave less attention to other children under the age of 18 years. But the 2015 Juvenile Justice (care and protection) Act has broadened the scope of the word "Juvenile". The Juvenile Justice Act defines 'Child' under section 2(12) as any person who has not attained the age of 18 years. Section 2(13) and Section 2(14) differentiates between **Child in conflict with law** and **Child in Care and protection**. Whereas Section 2(35) defines Juveniles as every child who has not completed the age of 18 years might be a child with conflict of law or might be a child in need of care and protection. This study is focused on children of the slums who fall under the vicious trap of drug abuse and ends up in the drug cycle turning these juveniles into either a child in conflict with law or Child in need of care and protection.

III. DRUG-CRIME CYCLE AND THE JUVENILES OF SLUMS

For more than two decades, researchers, psychologists, and social workers of children welfare have known of the link between drug use and juvenile crime. The majority of juveniles currently entering the justice system are drug users. Other research indicates that juvenile drug use is related to recurring violent delinquency that continues well into adulthood. Juvenile drug use is also strongly related to poor health, deteriorating family relationships, worsening school performance which increases their tendency to become homeless and street children making the children in need of care and protection. Once a child is introduced to drug use and starts abusing drugs, a child automatically chooses the road of crime to continue his addiction and becomes a child in conflict with law and in worst case scenario such addiction takes them away from family and relatives who try to intervene in their addiction, and become homeless or street children making them child in need of care and protection. In future, children in need of care and protection find peers of same need and form groups and start to live together in the streets.

They choose to do petty crimes like theft and fraud to satisfy their thirst of drug addiction making them children in conflict with law and vice versa, thus trapping the children into a unbreakable and miserable drug and crime cycle. Children of every sector, region and cultural community are being exposed to this drug threat but the most vulnerable class are the children of the slums as they have perilous surrounding that eventually brings them in contact with group of people and peers who are involved in various illicit and illegal acts. Most of the children of slums are self-dependent for their own care and needs as either their parents and guardian are unavailable for them, or the children don't have anyone to look after them making them responsible for their own survival. These factors already make them vulnerable and adding easy access to drugs on top of this marks them in high risk zone. So once a juvenile child of the slum becomes an addict the most probable way to continue such addiction is by doing petty crimes as they do not have any access to money. Thus this child who was already a victim of the society structure also becomes a juvenile delinquent with no fault of his or hers. The Juvenile Justice Act of 2015 is a Reformatory Act as our Indian Legislation believes that a child under 18 years of age does not have the maturity to understand the consequence of his/her action and should be given a chance of reformation and rehabilitated back as an active member of the society. In case of juveniles of the slums, these juveniles were unfortunate enough to be born in the most neglected area of our society and are refrained from almost every resources needed for the proper development of a child, most of the slum children have never had the proper need, care, attention or the education need for an healthy development of mental state to understand and grasp the consequences of their action. Most children learn and develop ideas and thoughts from their surroundings but the juveniles of the slums grow up experiencing struggles, crimes and knows no better without any proper education or awareness, none the less the everyday struggle for survival effects their mental state with no hope for better future or proper inspiration and role model. Thus if we want to bring back the drug victim juveniles of the slums as an active contributing members of our society only reformation and rehabilitation would not be enough as they will require all round development and early intervention process, so that once they are rehabilitated they would not return back to their drug life which in their shoes is a much easier choice to make then the everyday struggle and hassle they face unlike other children.

IV. FACTORS RESPONSIBLE FOR DRUG ABUSE IN THE JUVENILES OF SLUMS AND THE CONSEQUENTIAL CRIMES COMMITTED

(A) Illiteracy:

Most of the slum dwellers depend on daily wages and earn on a day to day basis. It is already hard to keep food on the table in such living conditions anything other than basic necessities such as food, water and rent is considered as luxury, schooling and education being the least. Even though the government has made various programs and facilities for free schooling of the juveniles they prefer to be a helping hand of their parents in earning money or are not interested due to lack of schooling culture. Thus the children unable to go to school remains constrained from the awareness of the consequences of substance abuse and once they understand the consequence it is too late and the damage has already been made.

(B) Poverty

Slum dwellers live in poverty and rough economic conditions. Absence of resources and economic opportunities turns the slum dwellers towards organised crimes such as drug trafficking and illegal production, manufacturing and selling of contrabands etc. These make the juveniles have easy accessibility of drugs and psychotropic substances around them.

(C) Family and Surrounding

Juveniles of the slums may have parents or elders who are either drug abusers or promotes drug abuse for their earnings, which makes drug abuse normal for them. Also the environment around such houses and families are mostly toxic and unhealthy for juveniles. Juveniles of drug abusing families also face physical, sexual and mental abuse from their families and peers making them feel vulnerable, angry, depressed and demotivated to continue their life and to numb those feelings most juveniles in lack of mental support and proper motivation becomes dependent upon drugs and substance abuse. To find temporary pleasure and freedom from their toxic environment most juveniles turns from drug abusers to drug addicts in a short time.

(D) Peer Pressure

Most juveniles of slums are parts of peer groups who are engaged in crime gangs or groups. The adolescent period makes the juveniles undergo various physical and psychological changes making them vulnerable to the influences of antisocial peers and the adrenal rush to try new things makes them abuse drugs.

(E) Sexual abuse of street dwellers

The juveniles of the slums mostly stay on the streets which are the most unprotected

environment for child development. They are exposed to the hostile environment and are exploited by local gangs or criminal groups. They end up engaging in 'survival sex work' in exchange of money, food, shelter or drugs. These sexual encounters at a very young age drive the impulse of young minds towards becoming sexually active and committing sexual offences within their own strata and outside their own strata. Young girls become victims of carnal abuse and again are helpless due to lack of awareness and their mental state is seriously impacted.

(F) Lack of Inspiration and encouragement

A young mind needs inspiration like a plant needs water. Without proper inspiration and guidance a child might not find any purpose or objective to live for. Goals and routines keep a child in check and their agile minds in focused. Slum children have no role model and in worst case scenarios wrong role models in their life leading them towards a lonely, unsuccessful and meaning less life making them depressed, forcing them to confine in short term relief of drug abuse.

V. IMPACT ANALYSIS

India is home to the largest slum of the world and a major portion of Indian population resides in the slums. Thus the impact factor of drug and substance abuse in the juveniles of the slums not only effects the slum population but all of India. The negative impact of the drug abuse can be categorised as –

(A) Health Impact

Drug abuse has been a prevalent cause of rise of HIV AIDS and other blood transmitting disease has the youngsters now a days use new synthetic injectable drugs that need to be injected in the blood stream via syringe and few to lack of economic resources slum children end up sharing the same needle amongst peers ending up contaminating each other. Sometimes they even use the same syringe for many days inviting deadly infections and serious health hazards. Other than this slum children are already malnourished few to lack of proper care and resources and adding drug abuse in top of that makes their immune system same as non-existent. The health hazards faced by the juvenile drug addicts of slums are nausea, abdominal pain, brain damage, memory loss, lung disease. Seizures, stroke, mental confusion, liver problem, heart disease etc.

(B) Social Impact

The majority of juveniles of the slums who choose to abuse drugs or come in contact of drug abuse peers already falls under the scope of 'Children in need of care and protection' but cannot

always be sent to reformatory houses as they may or may not fall under definition of the section 2(14). This legal and social gap makes the juvenile drug abusers of the slum go without proper care and rehabilitation. Even when the juvenile wishes to come out of this life, they do not know or have proper awareness or guidance thus making them more miserable and ignorant towards life.

(C) Legal Impact

The Narcotics and Psychotropic Substance Act, 1985 was enacted with stringent provisions with the objective of better control and regulation of operation related to drugs and psychotropic substances. The act was amended three times first in 1989, 2001 and 2014. Yet the easy accessibility of drugs in juveniles of slums could not be restrained. The effect and impact has been analysed and various loop holes in the existing NDPS Act, 1985 has been identified by the legislature and thus the NDPS (amendment) BILL, 2021 is still in discussion in the Lokh Sabha.

(D) Economic Impact

Drugs are not expensive as it a contraband and the production, manufacturing does come with a price and puts the seller at high risk. It is especially more expensive for juveniles of the slums as they hardly have enough money for food and basic necessities but for a drug addict their no greater need then drugs, so a juvenile who is an addict if has to make the choice between drugs and food will always choose drugs. Drug addict juveniles also has the tendency to all spent all the hard earned money in drugs and when are not able to manage the money take debts which most of the time they are unable to pay. This pushes them deeper in the pit of poverty.

(E) Political Impact:

The government has taken various initiatives by introducing National Drug Policy in 2012. Various Drug law Enforcement Agencies such as Narcotics Control Bureau (NCB), Central Bureau of Narcotics (CBN), has been specially authorised for proper administration of all the provisions of NDPS Act, 1985. Other awareness programs for rural, urban and marginalised communities has also been organised by governments.

VI. EARLY INTERVENTION APPROACH

A key approach was discovered by the researchers of National Institute of Juvenile Justice in USA to break the juvenile drug crime cycle. The report mentioned of technics through early intervention by case management strategy that coordinates the various service needs of juveniles from the time they enter the juvenile justice system until they no longer require

supervision. This approach was also used and tried by the Juvenile Justice system of Thailand who faces a similar drug addiction rise in juveniles. This approach connects juveniles with needed resources as they move through the juvenile justice and drug treatment system various researchers have found that in these approach juveniles receive more rapid and improved access to service, achieve more goals, and stay longer in treatment. This philosophy uses a carrot-and-stick approach to motivate the juvenile's progress in treatment; Good behaviour (staying drug free and avoid delinquent behaviour) results into freedom and other rewards while negative behaviour results in more severe restrictions and intense therapeutic environment. However in a country like India where the population of Youth and juveniles is the largest in the world and the added problem of scarcity in resources it is a difficult task for the reformatory and rehabilitation centres to cater to the need and give attention of every single juvenile addict as they require a range of services especially who comes from fragmented lives such as juvenile addicts of slums. Thus, the early intervention process has to start at elementary level through introduction of drug educational policies at school level, special drug education camps, street by street awareness, easy and accessible therapeutic approaches and workshops and most importantly frequent and ground level awareness programs for targeted and marginalised sections such as juveniles of the slums. The drug awareness policies and programs such as NASHA MUKHT BHARAT CHAMPAIGN are designed to raise awareness among all citizens including the youths and juveniles. The problem with this campaigns and policies is that the do not reach properly to the juveniles of marginalised section due to illiteracy and neglect towards education. Thus campaigns and policies that may work otherwise are insufficient and irrelevant for marginalised and neglected juveniles. Once ground level intervention is completed the possibility of juvenile justice system in comprehending the rehabilitation and reformation of drug addict juveniles with special needs can be possible.

VII. ROLE OF JUVENILE JUSTICE ACT IN INCURRING THE JUVENILE DRUG ABUSE

The Juvenile justice system in India is guided by the Juvenile Justice (Care and Protection) Act, 2015. The Act specifically in Section 93, speaks about special institution for juveniles who are drug addicts and proper rehabilitation and reformation of such juveniles. As an institution responsible for the safety and reformation of the juveniles, the juvenile justice system should be the final authority in decisions of case management, sanctions and treatments. According to NCRB in 2018-19 a survey was done in all the Child Care Institutions in India and it was found that 100% of the Child Care institutions were not in comprehension of the provisions of the Juvenile Justice Act, 2015. Thus it raises a question that whether the failures of the rehabilitation and reformation centre is a contributing factor for the increase of drug addiction

in juvenile slum dwellers. As their might be possibility that a drug addict juvenile after being released from such rehabilitation centre may return back to the previous drug life as proper reformatory steps were not taken by such institutions. Thus there is a special need of understanding the scope and essentials of 'FIT FACILITY' defined under Section 2(27) of the Juvenile Justice Act, 2015 and compulsory implementation of such essentials in every Child Care Institutions adhering to the needs of juveniles under Juvenile Justice Act.

VIII. ANALYSIS OF THE STUDY

There is no denying of the fact that the juveniles residing in the slum areas of India are more vulnerable to drug abuse as their surroundings somewhat influences them to do so. Even though there are Drug Action Plans and Drug Awareness Policies initiated by the government there is a gap between creation and implementation. The harsh truth is that slum areas are different from normal residential places and are in way a cut off or neglected than most parts of the society and the illiteracy and ignorance towards education of the slum dwellers makes it harder for implementation of awareness policies. The basic awareness programs are mostly initiated at school levels and only a handful of slum children attend any form of school education making it harder to reach them. If this children could be brought back in the sphere of an all-round education (which is available under Sarva Shiksha Abhiyan) where proper guidance and regular counselling could be provided owing to their special needs, the factors influencing them for drug abuse could be curtailed to an extent. State initiated surveys if collected frequently in high risk slum areas to understand the extend and factors of drug abuse and implementation of specialised awareness policies made particularly for such targeted marginalised population can cut down most off the evils of drug abuse. Strict surveillance in the slum areas can not only curtail drug abuse but also prohibit drug related crimes from spreading outside the slum areas. Establishment of free De-Drug Addiction centres and easy accessibility of such centres should be one of the prime motives of Drug Actions Plans so that suffering drug victims can make the easy choice of seeking help.

IX. CONCLUSION

Considering the large population residing in the slums of India and the growing drug abuse particularly in the juvenile population, it can be assessed that if the necessary steps are not taken now, the damage would be beyond repair. Special emphasis should be given on generating special awareness policies for the targeted and marginalised sections, juvenile awareness should be given utmost importance to control further damage. Not only awareness but surveillance and strict implementation of legislation are essential on the ground level.

Government should work in collaboration with specialised agencies and NGO's for better results. Mahatma Gandhi said "If you want real peace in the world, start with children" and it's high time we eradicate the evil that has threatened the biggest strength of India, our juvenile and youth population.

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