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Drug Abuse and Crimes: Can the Society Break the Connection with the Help of Laws?

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ABSTRACT

Drug crimes and abuses are increasing in a society. This research opens up with the concept of drug crimes and abuses still existing in our society. This research clearly shows the problems with young generations who are deeply addicted and being a part of drug crimes and shows repercussions on our young generation. The author has carefully examined the issue and provides a concise description of each step of drug-related crimes and abuse that exists in contemporary society. Many teenagers use drugs "because others are doing it"—or because they are afraid of being rejected from their peer group of drug users. Addiction to alcohol and drugs can result from mental health difficulties. In this research the author discusses various causes and effects of drug abuses and also mentioned some remedies to solve this problem. The author has further discussed about the basic objective regarding the existing laws and their role in the community. Numerous factors link drugs and crime. The use, possession, manufacture, or distribution of drugs with an abuse potential is illegal in most states. Drugs with the ability to be abused include cocaine, heroin, marijuana, and amphetamines. The current study is being conducted in the Indian context to ascertain the causes and potential treatments on how drug abuses and crimes can be diminished in the society and to what extent this effects our younger generation.

Keywords: Drug Abuse, Crime, Illegal, Addiction.

I. INTRODUCTION

Drug misuse or substance abuse is the use of particular chemicals to cause pleasurable effects on the brain. Worldwide, there are over 190 million drug users, and the issue is escalating alarmingly, particularly among young adults under 30. Addiction has an effect on both your brain and your behaviour. Alcoholism impairs one's ability to control the urge to use drugs, regardless of how dangerous they may be. Your chances of averting some of the disease's more severe side effects are better the earlier you receive treatment for drug addiction. Addiction has an effect on both your brain and your behaviour. Your chances of averting some of the disease's

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more severe side effects are better the earlier you receive treatment for drug addiction. A medication may be chosen at first because you like the way it makes you feel. You might think that you are in charge of how much and how often you use it. But over time, medications change how your brain works. These physical changes could last for a very long time. It causes you to become uncontrollable and might inspire harmful behaviour.

Drug abuse is the improper use of drugs, regardless of whether they are legal or not. You might take more medication than is advised or use a prescription that was intended for someone else. Utilizing drugs improperly can help you feel better, cope with stress, or escape from reality. You can usually change your bad habits or stop using altogether, though. Long-term drug use can also alter the chemical systems and circuits in other parts of the brain. As a result, dopamine is overexposed in your brain. This produces an intense sensation of pleasure. The main problem that arises from using psychotropic medications is dependence, or the need to keep taking the medication despite any decline in one's health, productivity at work, or engagement in social activities. A person has psychological dependence when they rely on a substance to make them feel good. This kind of dependence varies greatly depending on the substance and user. The drug user becomes obsessed with it and spends almost all of his time and energy obtaining and using it in its most advanced form. Depending on the substance and the drug, dependence can be either physical, psychological, or a combination of the two. Only after drug use is reduced or stopped and the withdrawal (or abstinence) syndrome, an incurable disease, manifests, is physical dependence apparent.

According to **National Library of Medicine** India has widespread drug problem and report says, "Millions of Indians are dependent on alcohol, cannabis, and opiates, and drug misuse is a pervasive phenomenon in Indian society, says a new report, published jointly by the UN Office on Drugs and Crime and India's Ministry of Social Justice. The report was completed more than 18 months ago but was only recently published because its findings were not acceptable to the government of the Bharatiya Janata Party (BJP), which was in power until May this year."²

*Currently India does not have a system of national or local monitoring for drug misuse, said Dr Rajat Ray, head of the Centre for Behavioural Sciences at all India Institute of Medical Sciences, New Delhi, and the main author of the report. "Mere building of treatment centres will not be enough, and millions of drug users in the community will have to be motivated, informed, and encouraged to come forward to seek treatment," he said*³. In India it is illegal

² national library of medical science BMJ. 2004 Jul 3; 329(7456): 14 doi: 10.1136/bmj.329.7456.14-h <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC443486/>

³ Dr Rajat Ray recognized Pharmaceutical Scientist and Academic Administrator

for a person to produce/manufacture, sell, produce or consume any narcotic drug or substance. The first of its kind, the National Survey on the Extent, Pattern and Trends of Drug Abuse in India, was published in 2004 by UNODC and the Ministry of Social Justice and Empowerment. We will briefly address drug offences and abuse in our society in this study, along with some alternative solutions. Due to the fact that this issue affects millions of individuals, it is crucial that we should talk about it.

(A) Statement of the problem

Drug abuse is one of the most perplexing issues present in our society. Drug abuse among teenagers as well as adults may lead to some hazardous mental health problems, including depression, conduct problems, personality disorders, suicidal thoughts, attempted suicide, and suicide. Peer pressure is a strong factor in starting to use and misuse drugs. Addiction risk may be increased by challenging family circumstances or a lack of connection with parents or siblings. Therefore, it is very important for us to say no to drugs as drugs and alcohol mess up your mind, drugs and alcohol mess up your body, drugs and alcohol can kill you, and more. As far as this research paper is considered the researcher has identified the reasoning of drug abuse and crimes and tried to contemplate on this issue, the researcher has further asserted the implications and solutions to the problem. The research is done with the best of knowledge and sincerity, there are still many gaps left when it comes to the alternatives. A thorough understanding is required to understand the drug crimes in Indian context and implement the practical solutions.

(B) Need and significance of the research for the society

We often consider drug abuse among teenagers itself, nevertheless this is a broad concept and applicable to all sections of society. Making laws or having laws is not the major concern, implementation is the basic objective. Effective drug education is crucial due to the tremendous pressures on young people to use both legal and illegal substances. In order to create a normative culture of safety and decision-making, education can act as a counterbalancing force. In fact, effective approach to spread knowledge about drug and alcohol abuse, prevention, and treatment is to volunteer your time with nearby groups. Effective drug education is crucial because there are numerous pressures on young people to use both legal and illegal substances. In order to create a normative culture of safety, moderation, and informed decision-making, education can act as a counterbalancing force. Millions of lives have been touched through the events that raise awareness about addiction and the generosity of individual donations. Early drug usage, as previously said, increases a person's risk of developing an addiction. Drugs alter

the brain, which can result in addiction and other severe issues. Therefore, lowering these risks may be significantly aided by avoiding drug and alcohol use in adolescence. This research will provide numerous ways and a brief analysis about drug crimes in context of India which will help you to broaden your way of thinking towards society and plethora of alternatives towards existing problem. As a student, I have seen some of my friends gets addicted with drugs and alcohol due to peer pressure, societal concerns, break-ups which results to depression, anxiety, serious mental health issues as well as thoughts of suicides and this motivated me to have a Research on this particular topic. This research will open your mind and it will show you how environmental factors, surroundings, peer groups influence your life.

(C) Research methodology

a. Research design –

While there isn't a book used in this research project, respectable websites and periodicals have been used as secondary literary sources. The researcher has made every effort to keep the research's objectivity by using the doctrinal research technique and considering these reliable sources. There is an in-depth and critical analysis of the said topic and the researcher tried her best to maintain the legitimacy of the research.

b. Scope of Study –

Since drug abuse and crimes is a wide topic and it is not a new concept. This research is limited with the causes and effects of drug abuses and marks a very important question that is can the society break this connection by laws. It seems to be easy nevertheless a broad reasoning is existing behind it which we will deal in this research. Further the research has shown the various problems associated with the said topic and presented a solution to it.

(D) Objective

To understand the importance of drug abuses and crimes existing in our society and understanding the solutions to it.

(E) Research questions

1. Is relevant communication between child and his parents can help in decreasing drug abuses?
2. How do drug abusers' actions affect themselves, their families and their communities?

(F) Hypothesis

The researcher has formed declarative hypotheses which will be validated by the end of research. There are certain provisions which can help us to break down drug abuses and

crimes with the help of laws. Drug abuse causes delinquency, and delinquency causes drug misuse, but there is no direct connection between the two; the statistical association is caused by other factors.

II. WHY PEOPLE CONSUME DRUGS

According to sociological views, drug usage is caused by a variety of social factors, such as peer pressure, brittle social ties, and a larger drug culture. There are certain factors which shows the consumption of drugs such as;

1. Family history of addiction – Consuming alcohol on regular basis is quite common in some families and A child learns by seeing his family, thus he imitates what their elder is doing.
2. Peer pressure – It depends on peer groups and sometimes they are afraid of being rejected from their peer group of drug users.
3. Lack of family involvement- lack of bond with your family members or siblings may lead to addiction.
4. Celebrating Failure – Sometimes when a person fails, he/she gets frustrated and it seems that everything is over, then he/she starts consuming drugs and this may lead to addiction which is dangerous for health.
5. Mental health disorder - You're more prone to develop a drug addiction if you have a mental health condition like depression, attention-deficit/hyperactivity disorder (ADHD), or post-traumatic stress disorder.

A person's memory typically works quite quickly and knowledge comes to him quickly when he remembers something. However, medications distort memory, leaving blank spaces. A person finds it impossible to obtain knowledge from this confusing clutter. Drug use makes a person feel foolish or slow and makes him fail in life. And as his failures increase and his life becomes more difficult, he needs more medicines to help him cope. All sensations, both desired and undesirable, are blocked by drugs. So, while they temporarily relieve pain, they also impair one's capacity to think clearly and deplete their alertness.

Consuming drugs twice or thrice is not an issue, major concern lies which this leads to addiction and when it results into health issues.

III. DRUG ABUSE IN INDIA

When we talk in terms of Indian context, In the state of Punjab, drug use is very prevalent,

especially among young people. Drug addiction is associated with an increase in bullying, group fights, assaults, and impulsive killings. Addiction intensifies tensions and causes unimaginable emotional suffering for every family member, in addition to having an adverse effect on the stability of the finances. According to a recent report released by the UN Office of Drugs and Crime and India's Ministry of Social Justice, millions of Indians are addicted on alcohol, cannabis, and opioids, and drug abuse is a widespread issue in Indian society. According to statistical data, "Opioid use is reported in 2.1% of the country's population, with heroin use being highest at 1.14% percent followed by pharmaceutical opioids at 0.96% and opium at 0.52%."

⁴155 to 250 million people, or 3.5% to 5.7% of world's population aged 15-64 used other psychoactive substances, such as cannabis, amphetamines, cocaine, opioids, and non-prescribed psychoactive prescription medication (WHO-2008). The majority of people believe that addicts have a choice, but because addiction is a chronic condition, they actually need professional help. Drug addiction has an influence on families in addition to the drug user. They experience psychological stress, deal with social repercussions, and are forced into a financial crisis. Any production, manufacture, cultivation, possession, sale, purchase, transportation, storage, and/or consumption of narcotic drugs or psychotropic substances is prohibited by the NDPS Act. With effect from March 1986, the Narcotics Control Bureau was established in accordance with one of the act's requirements.

Globally, cannabis is the most commonly used substance (129-190 million people), followed by amphetamine type stimulants, then cocaine and opioids. Top 5 states where the drugs were being consumed at a very high rate were Punjab, Uttar Pradesh, Maharashtra, Andhra Pradesh and Gujarat. In 2017, it was one of the main Issue of campaign for the assembly elections. According to statistical data concerned, "*The largest numbers of heroin abusers were found in Uttar Pradesh (17.3%), followed by Delhi (16.3%), West Bengal (15.0%), Manipur (10.1%) and Bihar (10.0%) (Figure 8). Altogether 1725 opium abusers were reported in the sample. There were no cases of opium abuse reported from Mizoram, Tamil Nadu and Tripura.*" Around 10 crore people in the nation are heavily depend on narcotics of different kinds. ⁵According to the 2019 National Survey on Extent and Pattern of Substance Use in India, 2.1% of the population (2.26 crore people) use opioids, which include heroin, prescription opioids, and opium (or its variations such poppy husk known as doda/phukki). 230,000 persons in the state

⁴ <https://www.nhp.gov.in/disease/non-communicable-disease/substance-abuse>, hosted by Centre for health Informatics (CHI)

⁵ 2019 national survey on extent and pattern of substance use in india <https://www.aiims.edu > national-drug-use-survey-2019>

were drug users, according to a 2015 Research on drug addiction commissioned by the Punjab state government. In the state, that amounted to 836 drug users per 100,000 persons. According to the ministry of social justice and empowerment, the all india rate for 2012 was 250 per 100,000. When compared to other countries, even the rate of 250 drug users per 100,000 people is extremely high. In South Asia, prescription drug addiction is a severe issue that is rising in India. According to a UN assessment, pharmaceuticals are imported from Afghanistan and diverted from India's drug industry before entering cross-border markets.

IV. LAWS AGAINST DRUG ABUSE IN INDIA

There are certain provisions related to drug abuses in india. With around 3 million drug and pharmaceutical addicts and an average of roughly ten suicides each day brought on by the effects of the aforementioned addiction, India has a long history with drug abuse. India is one of the top countries in the world for drug abuse, and the majority of those people have limited access to rehabilitation facilities. Let's have a look on to it. ⁶*“Drug abuse is a social evil. It destroys vitals not only of the society but also adversely affects the economic growth of the country.”*

(A) The drugs and cosmetic act, 1940

In 1964 and perhaps most recently in 2008, this Act undergone amendments. "The import, manufacturing, distribution, and sale of all kinds of medications (allopathic, ayurveda, unani, siddha, etc.) and cosmetics" are covered. The exact formula or a list of the contents for every patented or proprietary pharmaceutical preparation must be displayed on the container's label, according to the Act. The amended Act has stiffened the penalties for a number of offences, such as selling fake drugs, adulterating drugs and cosmetics, hazardous pollutants, etc. If found guilty, the offender carries a maximum sentence of three years in prison, a maximum fine of 5,000 rupees, or a combination of the two.

(B) Narcotics drugs and psychotropic substance act, 1985

It is also referred as NDPS act and an act was passed to codify and revise narcotics-related laws, in addition to establish stringent controls and regulations regarding the consumption of narcotics and psychoactive substances. Now it is important for us to understand in detail about the psychotropic substances which includes LSD, phencyclidine, amphetamines, barbiturates, methaqualone, benzodiazepines, mescaline, psilocybin, and designer compounds. One thing to be noted is that consumption as well as possession of drug is an offence in India. Let's say you

⁶ Quoted by Y K Sabarwal, formal chief justice on india (2006)

have kept illegal drugs in your house, but you don't consume them, you will still be punished under sections of the NDPS Act. Your punishment under the NDPS Act will depend on how much marijuana was used in the incident. The two forms of drug quantities are defined by the NDPS Act. A small quantity is one, while a commercial quantity is another. When you possess drugs in little quantities, the punishment will be less severe, and if you have drugs in commercial quantities, the punishment will be more severe.

Section 31 of NDPS act prescribes death penalty for repeated offences or in rare cases. In addition to this punishment provided in NDPS act begins from 6 months to rigorous punishment of 20 years.

Certain amendments took place which we will discuss now-

1. *1989* - The NDPS Act saw its first modification in 1989. Extremely severe penalties were put in place, including the required minimum sentence of 10 years in jail, a suspension ban, bail restrictions, a special court trial, property seizure, and the mandatory death penalty in some cases of repeated crime.
2. *2001* - The 1989 amendment was criticised for its conflicting incarceration rates, which led to the 2001 amendment's approval. Penalties were determined based on the amount of drugs present and the criminal laws were strengthened.*2014*
3. In 2014, it shows another amendment to the NDPS Act. The creation of a private label classification of necessary narcotic drugs enabled for uniform regulation by the Central Government. For repeated offences, the death penalty is now a discretionary punishment.

(C) Drug control act, 1950

The act permits the government to control the sales and distribution of drugs in india. The government can impose various restriction of sale. Every dealer or producer who sells any drug for cash must therefore provide the buyer with a cash memorandum with the details of the transaction if the purchase is five rupees or more; otherwise, the buyer may request the one if the purchase is less than five rupees. If proven guilty, the offender faces a sentence that could last up to three years in prison, a fine, or both. This Act controls the distribution and disposal of medications and directs the manufacturer or operator to set the maximum price for each drug. According to section 13 of drug control act 1950, Anyone who violates any of the provisions of this Act or disobeys a directive issued under the authority granted by this Act is subjected to a sentence of up to three years imprisonment, a fine, or both.

(D) The drugs and magic remedies act, 1954

It prohibits the advertisement of drugs in certain cases. It may be called as drugs and magic remedies (objectionable advertisement act), 1955. On a first conviction, the penalty involves a maximum sentence of 6 months in prison, with or without a fine. The penalty might be up to a year in case of a future conviction. When an organisation is proven guilty, all of its employees are regarded as guilty. This act aims to restrict the freedom of drug advertisers and prohibits the promotion of pharmaceuticals that make allegations about having particular magical remedies.

(E) Drug price control order, 1955

Section 3 of Essential Commodities Act of 1955 is intended to control increasing drug prices. The order outlines, among other things, a list of drugs with fixed prices, means for applying government-set prices, penalties for enforcing DCPO regulations, and authorities conferred under NPPA. The order outlines the list of pharmaceuticals with price controls, the processes used to control drug prices, how the government's prices are implemented, and the consequences for breaking the rules.

There are certain sections of IPC and CrPC which entails the drug abuses in India. Section 176, 193, 201, 202, 272, 273, 272, 274, 302, 306, 307... of IPC 1860 talks about drug abuses in India and prescribes punishments to the existing problem. Similarly, Section 39, 40, 175... of CrPC also discusses about drug abuses in existing society and defines punishments.

V. CHILDREN AND DRUG ABUSE

From the above discussion it is very clear that drug abuse is one of the biggest Threat to our society nevertheless there lies a deeper problem when it comes to children. There is no one characteristic that can determine if a person would develop a drug addiction. Risk for addiction is influenced by a mix of genetic, environmental, and developmental variables. A person is more likely to develop an addiction to drugs if they have more risk factors. Numerous studies have shown that there is a much higher chance of addiction in the offspring of addicts. Trauma in childhood. Children who have experienced physical, psychological, or sexual trauma may use addictive behaviours or substances to ease their suffering. Alcohol consumption among children now a days is a common point. It has also reported that consuming drugs through injection is also common among children. Drug abuse can harm vital organs including the heart and brain. For instance, cocaine can cause a heart attack in anyone, even a child or adolescent.

People who use drugs perform less successfully in their academic, athletic, and other endeavours. Making excellent decisions and thinking clearly are often difficult tasks. Since last

two decades, drug addiction has become very common in India. However, for many kids, their family's issue is not acknowledged by others, and they are not given assistance. Unbelievable things could happen to a youngster whose father uses drugs or alcohol. For many families, emotional, physical, sexual, and neglectful abuse all occur much too frequently. Even though they can be experiencing extreme turmoil at home, these kids will make excuses for their parents' misbehaviour, taking on adult responsibilities, and go to great lengths to hide their addiction from the outside world. After all, a child will likely believe that, no matter how bad it is, staying at home with their parents is still preferable to being sent away. In our society, there seem to be reportedly 463,000 children in foster care. According to a survey conducted by an NGO in India, 63.6% of patients seeking medical attention were first exposed to drugs while they were younger than 15 years old. Another survey claims that 13.1% of drug and substance abusers in India are under the age of 20. The top five drugs used by children in India were opium, alcohol, cannabis, and propoxyphene. According to a poll, of all users of alcohol, cannabis, and opiates, 21%, 3%, and 0.1% are under the age of eighteen. The use of multiple drugs by injection and frequent needle sharing among young drug users is an emerging trend that raises their risk of contracting HIV. Children made up between 0.4% and 4.6% of all treatment seekers across states.

The issue in India is that neither schools nor programmes for children outside of school have drug misuse awareness campaigns. There is no drug abuse policy in India. Children are frequently charged under the 1985 Narcotic Drugs and Psychotropic Substances (NDPS) Act. Children who occasionally have access to high-quality drugs will use flammable items that are conveniently available in convenience stores, such as cough syrups, pain relievers, glue, paint, gasoline, and cleaning fluids. Children, sadly, are moved from one house to another since their parents are incapable of caring them. Many of these children are in their current situations as a result of their parents' drug or alcohol abuse. Children who experience social isolation or alienation may be more susceptible to addiction. They could be insecure and unsure of how to get emotional support from others. They are more inclined to use addictive behaviours or drugs as a coping mechanism. A child who is born with a drug addiction may experience several physical and developmental problems throughout their early years or into adulthood. This includes mental impairments or underdeveloped cognitive capacities, as well as physiological conditions affecting their organs as a result of delayed development in the womb. Due to the children's isolation from societal action and their status as a secretive population that receives little care, it has been challenging to diagnose the issue and, consequently, to administer treatment. There are some statistics that show about the usage of drugs among kids.

VI. SOLUTIONS TO DRUG CRIMES

Instead of putting perpetrators through the criminal justice system, laws and policies should work to reduce the number of drug abuse and addiction cases in the nation by providing enough treatment options. Instead of enforcing harsh punishments, priority should be given to ensuring the health and welfare to the citizenry because the NDPS has failed miserably in its attempts to combat drug use. Given the scope of the issue and the relative importance of the states, the federal government should make plans to expand the number of de-addiction and rehabilitation facilities nationwide. It's crucial to improve treatment facilities and make sure they have all the required elements, such as skilled human resources, infrastructure, medications, and supplies, as well as a system of monitoring and mentorship. All offenders should get community-based treatment after being released from jail as part of the integration of drug misuse therapy into the criminal justice system. The best way to solve the problem related to drug crimes by a teenager is to determine the issue at home. Consult a dependable expert if you are unsure nevertheless believe there may be an issue. Discuss your worries with your adolescent. Pay attention to what he or she has to say and carry out your plans. It is for sure that there must be clear guidelines established.

The government should investigate the treatment programmes being employed and ensure that they adhere to minimal quality standards, are effective according to biomedical study, and do not infringe on the patients' human rights. In addition, the government should make sure that those who use drugs for medical reasons are not impacted while preventing their usage for criminal purposes. Programs to raise awareness and combat drug usage should be conducted often in society and in schools. School programmes should concentrate on coping with peer pressure and stress. Programs for the development of life skills and career preparation should be incorporated as well to guarantee that children and teenagers maintain good health, reach their full potential, and contribute positively to society. To start vocational training and other job initiatives for unemployed addicts, non-profit and non-governmental groups should be involved. Overall, to improve and expand the treatment programmes throughout the nation, a coordinated, multi-level approach is needed. A drug free country is necessary to have a free and peaceful society. It increases productive behaviour all people of the country.

VII. CONCLUSION

In India, there are measures and legislation to prohibit drug trafficking that have had some effectiveness, but they do not fully address the issue. Lack of knowledge is the primary cause of drug trafficking, although inadequate drug detention training and procedural delays are also

obstacles to the implementation of legislation. Today, drug trafficking has a significant impact on the security of the nation. People do not grasp its harmful effects, do not take it seriously, and occasionally do not even submit complaints. It leads to drug consumption when there are inadequate rehabilitation facilities and no coordinated correctional programmes, so there must be strong provisions, vigilant police investigation, social awareness, and coordination with the legal system. It is concerning that young people and prominent celebrities are using the drug on a daily basis. Numerous cases are still outstanding, and law enforcement organisations are not adhering to their commitments under the drug law. Numerous cases are still outstanding, and law enforcement organisations are not adhering to their commitments under the drug law.

Drug misuse demands a specific treatment because addiction is a chronic brain disease, therefore in most cases it requires treatment. However, there are relatively few and poor treatment facilities in the country, making punishment sometimes ineffectual. Additionally, the government must discuss numerous action plans and awareness programmes at the high school and college levels in order to help educate Indian youth about the negative effects of drug use. Intervention by the government in preserving rehabilitation A drug-free nation must take all essential precautions in order to develop generally and to lower crime rates, making centres for addicts crucial because they support infrastructure and money for these facilities. We can attain the objective of a drug-free nation if we work together.
