



INTERNATIONAL JOURNAL FOR LEGAL RESEARCH AND ANALYSIS

Open Access, Refereed Journal Multi Disciplinary
Peer Reviewed Edition :

www.ijlra.com

DISCLAIMER

No part of this publication may be reproduced or copied in any form by any means without prior written permission of Managing Editor of IJLRA. The views expressed in this publication are purely personal opinions of the authors and do not reflect the views of the Editorial Team of IJLRA.

Though every effort has been made to ensure that the information in Volume 2 Issue 7 is accurate and appropriately cited/referenced, neither the Editorial Board nor IJLRA shall be held liable or responsible in any manner whatsoever for any consequences for any action taken by anyone on the basis of information in the Journal.

Copyright © International Journal for Legal Research & Analysis

IJLRA

EDITORIAL TEAM

EDITORS



Megha Middha

Megha Middha, Assistant Professor of Law in Mody University of Science and Technology, Lakshmangarh, Sikar

Megha Middha, is working as an Assistant Professor of Law in Mody University of Science and Technology, Lakshmangarh, Sikar (Rajasthan). She has an experience in the teaching of almost 3 years. She has completed her graduation in BBA LL.B (H) from Amity University, Rajasthan (Gold Medalist) and did her post-graduation (LL.M in Business Laws) from NLSIU, Bengaluru. Currently, she is enrolled in a Ph.D. course in the Department of Law at Mohanlal Sukhadia University, Udaipur (Rajasthan). She wishes to excel in academics and research and contribute as much as she can to society. Through her interactions with the students, she tries to inculcate a sense of deep thinking power in her students and enlighten and guide them to the fact how they can bring a change to the society

Dr. Samrat Datta

Dr. Samrat Datta Seedling School of Law and Governance, Jaipur National University, Jaipur. Dr. Samrat Datta is currently associated with Seedling School of Law and Governance, Jaipur National University, Jaipur. Dr. Datta has completed his graduation i.e., B.A.LL.B. from Law College Dehradun, Hemvati Nandan Bahuguna Garhwal University, Srinagar, Uttarakhand. He is an alumnus of KIIT University, Bhubaneswar where he pursued his post-graduation (LL.M.) in Criminal Law and subsequently completed his Ph.D. in Police Law and Information Technology from the Pacific Academy of Higher Education and Research University, Udaipur in 2020. His area of interest and research is Criminal and Police Law. Dr. Datta has a teaching experience of 7 years in various law schools across North India and has held administrative positions like Academic Coordinator, Centre Superintendent for Examinations, Deputy Controller of Examinations, Member of the Proctorial Board



Dr. Namita Jain



Head & Associate Professor

School of Law, JECRC University, Jaipur Ph.D. (Commercial Law) LL.M., UGC -NET Post Graduation Diploma in Taxation law and Practice, Bachelor of Commerce.

Teaching Experience: 12 years, AWARDS AND RECOGNITION of Dr. Namita Jain are - ICF Global Excellence Award 2020 in the category of educationalist by I Can Foundation, India. India Women Empowerment Award in the category of "Emerging Excellence in Academics by Prime Time & Utkrisht Bharat Foundation, New Delhi.(2020). Conferred in FL Book of Top 21 Record Holders in the category of education by Fashion Lifestyle Magazine, New Delhi. (2020). Certificate of Appreciation for organizing and managing the Professional Development Training Program on IPR in Collaboration with Trade Innovations Services, Jaipur on March 14th, 2019

Mrs.S.Kalpna

Assistant professor of Law

Mrs.S.Kalpna, presently Assistant professor of Law, VelTech Rangarajan Dr. Sagunthala R & D Institute of Science and Technology, Avadi. Formerly Assistant professor of Law, Vels University in the year 2019 to 2020, Worked as Guest Faculty, Chennai Dr.Ambedkar Law College, Pudupakkam. Published one book. Published 8 Articles in various reputed Law Journals. Conducted 1 Moot court competition and participated in nearly 80 National and International seminars and webinars conducted on various subjects of Law. Did ML in Criminal Law and Criminal Justice Administration. 10 paper presentations in various National and International seminars. Attended more than 10 FDP programs. Ph.D. in Law pursuing.



Avinash Kumar



Avinash Kumar has completed his Ph.D. in International Investment Law from the Dept. of Law & Governance, Central University of South Bihar. His research work is on "International Investment Agreement and State's right to regulate Foreign Investment." He qualified UGC-NET and has been selected for the prestigious ICSSR Doctoral Fellowship. He is an alumnus of the Faculty of Law, University of Delhi. Formerly he has been elected as Students Union President of Law Centre-1, University of Delhi. Moreover, he completed his LL.M. from the University of Delhi (2014-16), dissertation on "Cross-border Merger & Acquisition"; LL.B. from the University of Delhi (2011-14), and B.A. (Hons.) from Maharaja Agrasen College, University of Delhi. He has also obtained P.G. Diploma in IPR from the Indian Society of International Law, New Delhi. He has qualified UGC - NET examination and has been awarded ICSSR - Doctoral Fellowship. He has published six-plus articles and presented 9 plus papers in national and international seminars/conferences. He participated in several workshops on research methodology and teaching and

learning.

ABOUT US

INTERNATIONAL JOURNAL FOR LEGAL RESEARCH & ANALYSIS

ISSN

2582-6433 is an Online Journal is Monthly, Peer Review, Academic Journal, Published online, that seeks to provide an interactive platform for the publication of Short Articles, Long Articles, Book Review, Case Comments, Research Papers, Essay in the field of Law & Multidisciplinary issue. Our aim is to upgrade the level of interaction and discourse about contemporary issues of law. We are eager to become a highly cited academic publication, through quality contributions from students, academics, professionals from the industry, the bar and the bench. INTERNATIONAL JOURNAL FOR LEGAL RESEARCH & ANALYSIS ISSN 2582-6433 welcomes contributions from all legal branches, as long as the work is original, unpublished and is in consonance with the submission guidelines.

NARCOTICS AND DRUGS PROBLEMS IN INDIA

AUTHORED BY - INDIRA PRIYADARSHINI

Abstract

The narcotics and drug problems in India present a complex challenged. It's a serious issue and it encircle issues related to consumption, trafficking, production and their negative effects on health and public society. India helping both transit destinations point for drug trade and faced concerns such as cultivations of illicit drugs. The misuse of drugs prescriptions by the youth populations and abusive contribute to health entailment including infectious disease.

The economic and social impact of drugs in India is increasing day by day and manifesting in a broken families and it's increasing the crime rates and the economics burden on the health care system this also impacting on the psychological behaviour which leads to the mental health problem.

Key words: Narcotics, illicit drugs, drugs addiction, mental health, public health, rehabilitation, prevention, intervention, law enforcement, abuse, socioeconomic disparities.

Background

The country has developed an addictions problem in 1994 international narcotics control strategy reports says is affecting middle class and urban population in greater numbers. It also has an ancient tradition of drugs using in a daily activity and ceremonial rituals trafficking of illicit substances it is adding the easy availability of pharmaceutically drugs without proper rise of substance misuse.

Healthwise there is a prevalence and infectious disease and mental health disorders. Government has implemented various measures to address narcotics and drugs problems law enforcement agency or all working to the trafficking of the illicit and rehabilitation issues. Alcohol, cannabis, and heroin are the major drugs misused in India, the report says Buprenorphine, propoxyphene, and heroin are the most injected drugs. Population is just over a billion, 62.5 million people use

alcohol, 8.75 million use cannabis. The potential number of people seeking treatment—about 0.5 million opiate users, 2.3 million cannabis users, and 10.5 million alcohol users—is a serious challenge for India at present, said Mr Lewis.

Introduction

India is a diverse and popular country and faces lots of challenges in issues of narcotics and drug abuse. This problem has grown over the years and posing threat to public health and social wellbeing the narcotics and drugs problem in India merged the combination of economically, socially, and political factors.

Social and economic factor:

High levels of poverty, unemployment and lack of educations may create an environment contributory to drugs abuse this leads to a problem with limited access to healthcare and rehabilitation service.

Youth vulnerability:

India has a large youth population and vulnerability of drugs abuse is a significant concern factors as peer pressure unemployment and desire to escape individuals to the narcotics and drug addiction.

Public health impact:

A lot of people are impacting through health problems like liver damaging and drug abuse has implications for public health leading to spread disease like HIV aids and hepatitis C because drugs and alcohol use can harm the health of a person with the HIV by weakening the immune system and damaging the liver and this leads to the public health impact.

International collaboration:

Nature of the drug table and the international collaboration is crucial now and India is engaging more with the neighbour countries and international organization to address the issues.

Organized crime and terrorism:

Drug trafficking is a major source of revenue for organised crime groups and many of them are involved in a serious crime such as firearms and modern slavery.

The most important types of illicit trades are.

1. smuggling
2. the illegal drug trade
3. counterfeiting, human trafficking
4. the illicit tobacco trade
5. arms trafficking.

Links with the organized or terrorism the sharing of financial resources. Criminal organizations often provide. Funding to terrorist groups through activities such as drug trafficking, arms smuggling, human trafficking, and extortion.

The NDPS Act was passed by the Parliament of India. The Narcotics Control Bureau was established in March 1986 under the NDPS Act. The primary objective of the NDPS Act is to regulate and control operations relating to narcotic drugs and psychotropic substances, and to conflict their abuse and illegal trafficking.

The punishment under the NDPS act, 1986 can range from rigorous imprisonment for a term not less than ten years, extendable to twenty years and a fine not less than one lakh rupees, extendable to two lakh rupees, to the death penalty in certain circumstances.

Offences under commercial quantities are non-bailable NDPS Act 1985. However, if the court finds that the accused is not guilty of offence or is not likely to indulge in sale/ purchase of narcotic drugs, bail can be granted.

The international obligations legislation with India's international obligations, especially the United Nations Single Convention on Narcotic Drugs, 1961, and the Convention on Psychotropic Substances, 1971. The NDPS Act, 1985, reflects the commitment of the Indian government to combat the drug abuse and trafficking, and it plays a crucial role in regulating and controlling the production, manufacturing, and trade of narcotic drugs and psychotropic substances in the

country.

Case law:

Mandakini Jaiswal v. Union of India (2018):

In this case, the Supreme Court of India reiterated the stringent nature of drug-related offenses under the NDPS Act. The court highlighted the need for strict enforcement of the law to combat the menace of drug abuse.

One of such case in the narcotics and drugs matter is “Operation Tiger Claw” where a joint operation was conducted between multiple agencies which led to arrest and conviction of high-profile drug traffickers. The operation uncovered a vast networking spanning several countries and resulted in the seizure of a significant quantity of narcotics and drugs. Another case is “Nexus Pharmaceuticals Scandals”, which exposed the dark underbelly of the pharmaceutical industry involved in the illicit manufacturing and distribution of psychotropic substances. The prominent individuals, including doctors, pharmacists, and pharmaceutical company executive.

Conclusion:

There are many acts related to Narcotics and drugs, even punishment in Indian Penal Code 1860 which punish the accused one for such act. But still there are many ways to sale or purchase these drugs illegally. The government have taken such strict action against such criminals and should find a way to stop this purchase and sale of drugs and other narcotics substances.