Vol 3 Issue 2 Aug 2013

Impact Factor : 1.2018 (GISI)

ISSN No :2231-5063

Monthly Multidisciplinary Research Journal

GoldenResearch Thoughts

> Chief Editor Dr.Tukaram Narayan Shinde

Publisher Mrs.Laxmi Ashok Yakkaldevi Associate Editor Dr.Rajani Dalvi



IMPACT FACTOR : 0.2105

Welcome to ISRJ

RNI MAHMUL/2011/38595

ISSN No.2230-7850

Indian Streams Research Journal is a multidisciplinary research journal, published monthly in English, Hindi & Marathi Language. All research papers submitted to the journal will be double - blind peer reviewed referred by members of the editorial Board readers will include investigator in universities, research institutes government and industry with research interest in the general subjects.

International Advisory Board

international Advisory board			
	Flávio de São Pedro Filho Federal University of Rondonia, Brazil Kamani Perera	Mohammad Hailat Dept. of Mathmatical Sciences, University of South Carolina Aiken, Aiken SC 29801	Hasan Baktir English Language and Literature Department, Kayseri
	Regional Centre For Strategic Studies, Sri Lanka		Ghayoor Abbas Chotana Department of Chemistry, Lahore University of Management Sciences [PK
	Janaki Sinnasamy Librarian, University of Malaya [Malaysia]	Catalina Neculai University of Coventry, UK] Anna Maria Constantinovici AL. I. Cuza University, Romania
	Romona Mihaila Spiru Haret University, Romania	Ecaterina Patrascu Spiru Haret University, Bucharest	Horia Patrascu Spiru Haret University, Bucharest, Romania
	Delia Serbescu Spiru Haret University, Bucharest, Romania	Loredana Bosca Spiru Haret University, Romania	Ilie Pintea, Spiru Haret University, Romania
	Anurag Misra DBS College, Kanpur	Fabricio Moraes de Almeida Federal University of Rondonia, Brazil	Xiaohua Yang PhD, USA Nawab Ali Khan
	Titus Pop	George - Calin SERITAN Postdoctoral Researcher	College of Business Administration
Editorial Board			
	Pratap Vyamktrao Naikwade ASP College Devrukh,Ratnagiri,MS India	Iresh Swami Ex - VC. Solapur University, Solapur	Rajendra Shendge Director, B.C.U.D. Solapur University, Solapur
	R. R. Patil Head Geology Department Solapur University, Solapur	N.S. Dhaygude Ex. Prin. Dayanand College, Solapur	R. R. Yalikar Director Managment Institute, Solapur
	Rama Bhosale Prin. and Jt. Director Higher Education, Panvel	Narendra Kadu Jt. Director Higher Education, Pune K. M. Bhandarkar	Umesh Rajderkar Head Humanities & Social Science YCMOU, Nashik
	Salve R. N. Department of Sociology, Shivaji University, Kolhapur	Praful Patel College of Education, Gondia Sonal Singh Vikram University, Ujjain	S. R. Pandya Head Education Dept. Mumbai University, Mumbai
	Govind P. Shinde Bharati Vidyapeeth School of Distance Education Center, Navi Mumbai	G. P. Patankar S. D. M. Degree College, Honavar, Karnataka	Alka Darshan Shrivastava Shaskiya Snatkottar Mahavidyalaya, Dhar
		Maj. S. Bakhtiar Choudhary	Rahul Shriram Sudke

Ph.D.-University of Allahabad

Director, Hyderabad AP India.

S.Parvathi Devi

Ph.D , Annamalai University, TN

Devi Ahilya Vishwavidyalaya, Indore

Awadhesh Kumar Shirotriya Secretary, Play India Play (Trust),Meerut Sonal Singh

Chakane Sanjay Dnyaneshwar Arts, Science & Commerce College,

Indapur, Pune

Satish Kumar Kalhotra

S.KANNAN

Address:-Ashok Yakkaldevi 258/34, Raviwar Peth, Solapur - 413 005 Maharashtra, India Cell : 9595 359 435, Ph No: 02172372010 Email: ayisrj@yahoo.in Website: www.isrj.net

ISSN 2231-5063 Volume-3, Issue-2, August-2013

DRUG ADDICTION – A CRIME WITHOUT A VICTIM

Trinity Cliff Savio De Souza

Research Scholar, Department Of Law Of Shivaji University, Kolhapur

Abstract: Ever since the dawn of human civilization, crime has been a baffling problem. The English society dated back in the early 12th and 13th centuries, considered only those acts as crime which were committed against the State or religion. Surprisingly but true, murder was not considered as crime, whereas offences like treason, rape, and blasphemy were treated as crime.

Keyword: English society, human imagination, Maithland, Frederick Pollack.

INTRODUCTION:

Men by nature is a fighting animal. Hence, it is beyond human imagination to think of a society without crime. As such, there cannot be a society without crime and criminals. What is crime? In simple understanding, the conducts which are, prohibited by the existing law of a given time and place, are known as wrongful acts or crimes. Whereas, those which are permissible under the law, are treated as lawful and the wrong doer committing crime is punished for the wrong done under the law of the land.

Prof. Edwin M. Sutherland has propounded that no single theory can offer a satisfactory explanation for crime causation. Basically, different scholars have propounded different approaches towards different theories of crime, which suggest that crime, is not a result of one satisfactory factor, but a combination of various factors.

Going back to the early days, the concept of crime has always been changing, with the variation in social conditions, during the evolutionary stages of human society. Frederick Pollack and Maithland, in their book, entitled "Radcliffe and Crime", (English Legal System, 1954, page 6) observed that the English society prior to the 10th century, confused crimes with torts, because the bond on family was far more stronger than that of the community, and the aggrieved individual had the opportunity to avenge the wrong, by private vengeance and self redressal. The offender was to compensate the aggrieved individual and the compensation would depend on the extent of harm inflicted and the status of the sufferer.

During the early period (1000 to 1200 A.D.) in the history of crime, was the preponderance of the system of ordeals, by fire or by water. In the ordeal of fire, the accused was to carry a red-hot iron, to a distance of nine feet, thereafter, his hands were bound up unbandaged. After three days if the wound was healed, he was considered as innocent. In an ordeal by water, the accused was bound and lowered in a pool, if he sank a certain distance, he was innocent, otherwise, he was considered guilty and punished. This was due to the religious and superstitious belief of the people, who believed that the social relations were governed by some supernatural powers which they believed to be omnipotent. The advancement of science and technology has eventually led to the emergence of criminology as an independent branch of knowledge.

What is Criminology all about?

Criminology is one of the branches of criminal science which is related to social study of crimes, and criminal behaviour. It is a science which deals with different attitudes of behaviour that violates criminal law. Walter Reckless has in the broadest sense, described Criminology as a "science which studies violation of criminal codes or set of rules and regulations in society". Criminology mainly deals with crime – causation, analysis and prevention of crimes.

Criminality is essentially associated with social behaviour which is the outcome of relationships of individuals in society. Donald Taft observed that men react to social structure and values and institution derived therefrom. As such, the attitudes of an individual, whether criminal or non-criminal, can be regarded as a combined effect of culture and environment.

Drug related crime

The present day society is faced by a crime of different nature, i.e. the crime of drug trafficking which is slowly but surely eroding into the fabric of our society, and it affects the economy of the country. The money generated from drug trafficking is being utilised for illicit activities like money laundering and for financing/funding terrorist organisations.

There is no doubt that drug trafficking and trading is a global phenomenon and it has acquired the dimensions of an epidemic which affects the economic policies of the State. It corrupts the system and is detrimental to the future of society.

Drug related crime can be looked at, as an organised crime, wherein the offenders organise themselves in gangs or mafias. Most criminals organise themselves into criminal groups with a view to specialising in their trades and accept a particular crime as their occupation. The mafia normally practicing one particular crime does not normally interfere

1

Trinity Cliff Savio De Souza, "DRUG ADDICTION – A CRIME WITHOUT A VICTIM" Golden Research Thoughts Vol-3, Issue-2 (Aug 2013): Online & Print

with the criminal activities pertaining to the other mafia.

There are different types of criminal organisations, which operate in the criminal world, a few of which are mentioned below :

(i)Organised predatory crime;(ii)Crime syndicate(iii)Criminal racket(iv)Political graft

Trafficking in narcotics drugs and psychotropic substances falls in the category of crime syndicate.

What is crime syndicate?

Crime syndicate refers to a gang of criminals engaged in the business of providing some forbidden illegal service to the customers, who are desirous of having it and are willing to pay handsomely for the service. Since the possession, sale and manufacturing of narcotic drugs is prohibited, banned, and attracts severe punishment upto 10 years, in addition to a fine of Rs. 1.00 lakh, which may extend to even life imprisonment in certain cases, trading of such banned substances requires professionalism. Such professionalism can be organised only by a Syndicate who operate in a very professional way to evade arrest from the Agencies and even if intercepted easily wriggle out of the situation safely and surely. The crime syndicate operate precisely to make available certain illegal and prohibited services to people, willing to pay for the same. Crime syndicates exist because of the illegitimate demands of the public which cannot be legally met due to legal prohibitions. The main purpose behind the organisation of criminal syndicates is because of the enormous profits involved in the fulfilment of these illegal demands. The very existence of these gangsters is because of the protection and shelter extended to them by law abiding citizens in carrying out their criminal activities, for soliciting an illegal service. David Dressler in his book, "Readings in Criminology and Penology", has observed that the leading gangsters remain immune from prosecution and punishment, although underlinks of their gangs are prosecuted and punished. The main reason for such quasi-immunity of top level mobsters is attributed to something popularly known as a 'fix'. Basically, 'fix' is not always a direct payment of money to enforcement agencies but also through political affiliations or by creating economic ties with apparently respectable businessmen. It could be also by creating good will through contributions and charities.

Since protection against arrest and detection is a necessary part of organised crimes, the mafia often adopt the technique of fixing crimes which is far more important than executing them. For this purpose, they try to win over police officers by underhand tactics or use of threat, undue influence or coercion against the victim.

Apart from this, the organised mafia has also to seek co-operation and support from other parallel legitimate businessmen and organisation for disposing of their illegal acquired money. ISSN 2231-5063 Volume-3, Issue-2, August-2013

A few known facts about drugs :

Today trafficking in narcotic drugs is the most lucrative business which attracts profits higher than that of the entire oil industry and second only to the arms trade.

The global menace of smuggling narcotic drugs is on an increase in the length and width of the country. According to estimates made by the World Health Report, at least 10,000 million people throughout the world regularly use alcohol and 13.5 million people use opoids. In India, too, the problem is slowly increasing and it is estimated that 75 million people are alcohol users and as many as 3.0 million people are opoid users of which majority of them require urgent medical treatment and rehabilitation.

The changing scenario of drugs :

Over the years, the pattern of drug consumption and use has undergone a tremendous change with the advancement of new drugs which came into existence. Prior to 1980s, the use of drugs like cannabis and charas were gaining popularity. However, since 1980s, most of the States in India, particularly, the State of Goa, experienced the introduction of new drugs called 'designer drugs' of different types, and having different potencies. These drugs are chemical combinations, which have disastrous effects, and the consumer gets addicted to them faster than the natural drugs like charas, cannabis, etc.

The emergence of new varieties of psychotropic substances gained popularity among the youth. Broadly speaking, these psychotropic substances are basically chemical combinations, having effects, which are far beyond our human imagination. To mention a few of the most popular among them are cocaine, L.S.D., ecstasy, morphine, magic mushrooms, acid strips, MDMA, and amphetamine (commonly known as ketamine), etc., which are known by different names in different societies, to conceal their actual identity from the investigating agencies. Most of these substances are normally in the form of powders, liquid preparations, and colourful tablets which are not easily identifiable neither by the investigating agencies nor normal human beings, unless put to a chemical test. Most of these psychotropic substances find their way to the Indian market from the international market through their conduits, who are the foreign carriers, through concealments made in false bottoms of suitcases and other clandestine modes.

Chemical combinations were introduced into the market by the English and Russian drug dealers, whose purpose of visit to Goa was primarily drug trafficking. Their local counterparts became envious about the foreign traders' monopoly over chemical drugs and made futile attempts to replicate the same, which, however, met with little success. Till today, the foreign traders continue to have dominance and monopoly over chemical substances, which continue to be preferred in India and around the world. Studies have revealed that Goa is a transit point for distribution of drugs to various destinations, local as well as international.

Since India produces the best quality of charas in the world, its popularity and demand has increased tremendously. Charas being a natural substance, scientifically it has been proved that consumption of drugs like charas are less addictive and less disastrous as compared

to other chemical substances, which makes it more preferable over other drugs, and therefore, trafficked to different parts of the world. It is known that charas fetches a higher price out of India, where one kilo of charas fetches as high as ten times the price in international market. On the other hand, pure Bolivian cocaine, commonly known as the "Rich man's drug" or the "king's drug", having high purity and demand, finds its way to Indian market.

Psychotropic substance means any substance natural or synthetic or any other natural material or any salt or preparation of such substance or material included in the list of psychotropic substances specified in the schedule. In the schedule annexed to the Narcotic Drugs and Psychotropic Substances Act, 1985, the Parliament has listed 76 such substances and has also added the salts and preparations of the said substances as item No. 77. The Special Narcotic Drugs and Psychotropic Substances Act, 1985, commonly known as the N.D.P.S. Act, 1985, prescribes for more harsher jail terms for trafficking in psychotropic substances keeping in mind the disastrous effect it has on humans, and depending on the quantities seized.

Over a period of time, the profile of drug users has undergone a drastic change. Initially, it was only the men folk who indulged in drug consumption, but, of late, it is the women folk who form a major chunk of drug users. Studies conducted by the W.H.O. have revealed that the population of drug users in India ranges between the age group of 15 to 20 years.

DEFINITION OF DRUGS :

Broadly speaking a drug is any substance that when absorbed into the body of a living organism, alters normal bodily functions.

The Pharmacological definition of drug is summarised as a chemical substance used in the treatment, cure, prevention or diagnosis of disease or used to otherwise enhance physical or mental well being. Drugs may be prescribed for a limited duration, or on a regular basis for chronic disease. Drugs like opoids and hallucinogens, are chemical substances, the use of which affect the central nervous system and are commonly termed as recreation drugs. The use of such drugs is for perceived beneficial effects, on perception, consciousness, personality and behaviour. The constant use of certain drugs can cause addiction, and once used, the person can get habituated to the use of the same, and thereafter cannot do without the use of drugs.

Section 2(xiv) of the Narcotic Drugs and Psychotropic Substances Act, 1985, defines "narcotic drug" as coca leaf, cannabis (hemp), opium, poppy straw and includes all manufactured drugs.

Main constituent of section 2(xiv) : The expression "Narcotic drug"

(a) means-(i)coca leaf (ii)cannabis (b ISSN 2231-5063 Volume-3, Issue-2, August-2013

(b) Includes all manufactured drugs, i.e.

(I) all coca derivatives, medicinal cannabis, opium derivatives and poppy straw concentrate; and

(ii) narcotic substances and preparations declared to be manufactured drugs "Addict"

Section 2(i) of the Narcotic Drugs and Psychotropic Substances Act, 1985, defines "Addict" as a person addicted to any narcotic drug or psychotropic substance; Main constituents of clause (i) of section 2 :

The expression "addict" means a person addicted to: (i)any narcotic drugs; or (ii)psychotropic substance

Addiction : With regular heroin use, tolerance develops. This means the abuser must use more heroin to achieve the same intensity of effect. As higher doses are used over time, physical dependence and addiction develops. With the physical dependence, the body has adapted to the presence of the drug and withdrawal symptoms may occur if use is reduced or stopped.

Withdrawal, which in regular abusers, may occur as early as a few hours after the last administration, produces drug craving, restlessness, muscle and bone pain, insomnia, diarrhoea and vomiting, cold flashes with goose bumps, kicking movements and other symptoms. Major withdrawal symptoms peak between 48 and 72 hours after the last dose and subside after about a week. Sudden withdrawal by heavily dependent users who are in poor health is occasionally fatal. Recent studies suggest a shift from injecting heroin to snorting or smoking because of increased purity and the misconception that these forms are safer.

EFFECT OF DRUGS ON MODERN SOCIETY

Trafficking in narcotic drugs is a menace in modern society and has spared no nation in the world. It has spread its tentacles through the length and breadth of this country. It is time all efforts should be made to bring this menace under control.

Consumption of narcotic drugs and psychotropic substances condemn a person to a worthless life and a slow death. Trade in narcotics has attained a pride of place, even in international trade. The social costs, economic costs and human costs of drug trade are enormous. Depersonalisation, breakdown of families and physical ailments including withdrawal symptoms represent, just a fraction of human cost. Diversion of money to criminals, corruption and human right violations, are other consequences. Sometimes, innocent victims are pushed to crime. Drugs in common use contain many substances with multiple effects and many of the drugs exert psychotropic, hypnotic, antiemetic and anticonvulsant effects. Such drugs depress intraocular pressure and effect cardiovascular, respiratory, and reproductive systems. Hedonic properties of these drugs are well known. They precipitate, panic reaction, depersonali sation, schizophrenia and confusional psychosis. Celebral atrophy, ultrastructural abnormality and electro cencephalography, amutivational syndrome, etc. are also induced by drugs in common use like Fortwin, Mandrex, Codin, Thebain, Methadin, Propexfin L.S.D., Pethadin,

(ii)cannabis (hemp)(iii)opium(iv)poppy straw, and

3

Brown Sugar, Loveboat (PCP), cocaine, and so on.

Article 25 of the Universal Declaration of Human Rights, 1948, and Article 12 of the International Convention on Economical, Social and Cultural Rights, 1966, reflect the concern of the international community for the protection of the individual's right to the enjoyment of the highest attainable standards of physical and mental health. The other international convention which promote the legislation are set out in section 2(ix) of the Act. Besides, one of the primary duties of the Government under our Constitution is improvement of public health, interalia, by prohibiting the consumption of intoxicating drinks and drugs injurious to health. The Narcotics Drugs and Psychotropic Substances Act, 1985, was therefore, enacted to make stringent provisions for the control and regulation of operations relating to narcotic drugs and psychotropic substances, and to provide for deterrent punishments, including the forfeiture of property derived from sale of such drugs and substances.

How is drug addiction related to crime?

Drug habituation is prevalent in the Indian society and all around the world for centuries together, in one form or the other. Because of their pleasurable and soothing effects, the consumption of narcotic drugs has become a way of life for a number of people in the modern society. In today's world, time is money and we are living in a competitive society, where everyone is trying to achieve the maximum in life in too short period of time. This leads to stress and fatigue, and, therefore, an easy way out is consumption of drugs for relieving stress, fatigue and stimulant to withstand adversaries.

The problem of drug addiction is international and the mafia is working throughout the world. It is a crime against the society and it has to be dealt with seriously, before it gets out of reach. However, with the unprecedented expansion of pharmaceutical industry, the abuse of drugs has increased tremendously, covering almost the entire civilised society.

Normally, people addicted to drugs show signs of irresponsibility and lack in self confidence within themselves, which make them consume drugs as a mind altering substance, to overcome anxiety. Studies of the records of the Police Department and Prison statistics, have revealed that drug and alcohol related crime is on the rise, however, all measures to prevent the crime through preventive and punitive measures, such as fine, imprisonment or detention, has had no effect on the abuse of drugs and alcohol.

The impact of consumption of intoxicants like drugs, alcohol and other mind altering psychotropic substances have a direct impact on crime. This proposition brings us to the following conclusions about the impact of alcoholism and drug addicts on criminality :

i) Crimes are often planned in liquor shops and bars and places where alcohol is sold;

ISSN 2231-5063 Volume-3, Issue-2, August-2013

offender in relation to his offensive behaviour;

iv) Most juveniles consume alcohol and drugs, as a result of which there is a rise in juvenile delinquency;

v)Trafficking of drugs from one place to another, and corruption of the system is due to the fact that drugs are forbidden by law. Had drugs not been banned, the crime of trafficking of drugs would not be so high.

vi)The illegality of purchase and possession of alcohol and narcotic drugs make alcoholics or drug addicts delinquent ipso facto.

vii) Research studies have revealed that consumption of alcohol and drugs has contributed to criminality.

Initially, a person consumes drugs knowingly or unknowingly, either to get rid of disturbing mental restlessness or to get relief from domestic problems or as a medicine, and sometimes, with a wrong notion that consumption of drugs stimulates one to work more efficiently. The user of drugs initially consumes drugs as he feels he is getting relief and sound sleep and a feeling of euphoria, and he prefers to remain in a world of imagination rather than facing realities of life. In time to come, the person cannot do without the drug and cannot remain without having his dose and his dependency on drugs grows. Ultimately, he loses control over his body and mind and reaches a stage in life where he cannot do without drugs and it becomes a life long habit for him to consume drugs on a dayto-day basis.

The Indian Perspective :

Consumption of drugs in India is not a new phenomenon, as during the early days, drugs like opium and cannabis, were consumed in the form of ganja and bhang, and this had a religious sanction, especially among the elders in the society, who were the privileged few. The use of narcotic substances like cannabis, has been in existence in India for a very, very long time. It was used for a variety of purposes and primarily, had medicinal and mind altering capacities. The age-old Hindu rituals for centuries together, having, a strong religious belief, that it is a gift from Lord Shiva to its followers. The Rajputs in Rajasthan and Gujarat, also frequently use opium, for social, cultural reasons. In countries like Nepal and India too, during the festivals of Shivratri, Krishnaasthami, during bhajan sessions, the use of cannabis was very prominent. An ancient tradition of offering of opium at the harvest ceremony, as Akha Tej, to settle family disputes is very common.

However, in the present society, drug addiction has not spared even the journalists, politicians as well as the educationalists, and drug addiction has become a problem, which cannot be easily controlled. Earlier, only drugs like ganja, cannabis, bhang, were more prevalent and known in India. However, today, synthetic drugs of very high potency have surfaced and the ill effects of such synthetic drugs is just beyond the imagination of a normal mind. After a person gets hooked to drugs, he becomes an addict and is ultimately a victim who becomes a prey of its misuse. In other words, drug addiction may be conceptualised as a crime without victim, i.e. the drug addict becomes a victim and becomes a prey of its misuse.

4

ii)To overcome the emotional strains, many criminals consume drugs or alcohol;

iii)Consumption of alcohol and drugs help the criminal to eradicate the element of self criticism from the crime

What leads to people to drug addiction?

People consume drugs and alcohol for a variety of reasons. Initially, people drink to socialise at parties and to feel the sense of elevation. The same is with consumption of drugs. However in time to come, the drug overpowers the consumer and he is left in a helpless situation. A few reasons mainly responsible for this addiction are enumerated as below :

(a) Rapid industrialisation and urbanisation, has led to competition in life and failure in business and professional life. Unemployment among the youth has led to frustration and has been a major factor to drug addiction.

(b) In today's competitive society, both parents are compelled to work to keep the family going, which in turn has an adverse effect on the upbringing of children. The disintegration of the joint family system has further contributed to the lack of control and attention over the growing youth who become prone and gullible to the evil of drug addiction.

(c) Advancement in the field of medicine and pharmaceutical industry has introduced new synthetic drugs, which are easily accessible to the youth.

(d)Patients suffering from painful illnesses are prescribed pain killer drugs by doctors for relief from pain. However, the patients continue to administer the drugs even after the treatment is completed, thereby getting addicted to the compulsive usage of drugs, which attributes to drug addiction.

(e) Frustration and emotional stress due to failures, sorrows or miseries in life, compel people to consume drugs as an alternative to overcome the same.

(f)The youth initially start consuming drugs on experimental basis to experience fun and enjoyment, which gradually reaches the stage beyond their control, as a result of which they turn to be drug addicts.

(g) The youth have been influenced by the hippie-culture for consumption of drugs for enjoyment and fun, and find it difficult to get out of the habit ultimately, making them slaves of substance abuse.

(h)Misconception and ignorance in the minds of the uneducated labour class involved in manual work, that the consumption of drugs like opium, ganja, etc., increases the efficiency of work and productivity, has led the labour class to consume drugs.

(i)Communication barriers between parents and children and ignorance of child psychology, has contributed to drug abuse among the youth.

(j) People often fall prey to drug addiction and abuse to overcome tension and stress created due to social disorganisation, family strifes, and breakdowns. Also poverty, temperamental influences and neighbourhood influences are instrumental to drug addiction.

Various measures have been adopted at the national level as well as the international level to bring about a change in the use and consumption of drugs. At the national level, the Government of India set up the National Committee on Drug Addiction in the year, 1976, to enquire into : ISSN 2231-5063 Volume-3, Issue-2, August-2013

(1) The extent of addiction to drugs in the country;

The extent of addiction to drugs in the country;

(2) To determine motivation for drug addiction;

(3) To identify types of drugs that are misused and suggest steps to prevent misuse;

(4)To recommend suitable de-addiction and rehabilitation programmes

The Committee in its report suggested establishment of a National Advisory Board on Drug Control. It outlined the need for co-operation of Police, Excise and Drug Control Departments to curb this menace and necessity for creating awareness against drug addiction in the minds of public.

The Government of India passed a special Narcotics Drugs and Psychotropic Substances Act, 1985, to bring about control over the misuse and use of narcotic drugs and psychotropic substances, which is in existence till date.

CONCLUSION :

Broadly speaking, Criminality in a human being is closely attributed to ones depravity.

Studies conducted by various Sociologists and Educationists have proved that people having sound physical health and who are emotionally balanced do not normally indulge in criminality nor do they indulge in drug addiction or excessive drinking of alcohol.

Today crime has reached an alarming magnitude and we need to ask ourselves what society are we living in. People have lost their moral values and have become ruthless towards people around them. We are living in a rogue civilisation, where there is least respect for human values and there is no certainty of life.

The youth right from the age of 15-20 years begin to indulge in drugs and by the time they have attained the age of 25 they have already experienced a cocktail of drugs and they are already confirmed drug addicts. They have achieved little or no education at all as by then they are already school dropouts. By then they have already become liabilities to their families and nuisance to society. The saying goes "Once a Drug Addict Always a Drug Addict". A few may opt for rehabilitation out of family pressures or because of medical compulsions but little good comes out.

The non-availability of drugs creates scarcity and therefore, increases its demand. The price of the killer toxin as it is called varies from nation to nation, which automatically gives rise to trafficking of drugs from places of availability to the other parts of the world.

Youth once addicted to the substance abuse cannot get away from this disease as it is called today. Initially, he gets the drug from friends at social gatherings, however, when addicted, he has to source it himself as the urge for the drug increases and gets beyond his control.

Due to the unaffordable cost of drugs like heroin, morphine, cocaine, etc., the addict is left with little or no option, but to share the drug with the other co-addicts, through syringes, which is called a "FIX". The contaminated needle is shared by many, which is the main cause of spread of HIV. Excessive consumption of drugs makes a person, an addict and he is ready to go to any extent just to get his fix.

5

This is the stage where the drug addict resorts to criminal attitude like petty theft and sometimes even could end up in murder. Most of the youth related crime reveals that the ultimate cause of crime is due to mental depression, lack of love and attention due to broken family relationships, unsuccessful careers, etc. Another cause of drug addiction among youth is due to frustration caused by unemployment, as they cannot meet the required standards in this competitive society.

Section 85 of the Indian Penal Code :- States that nothing is an offence, which is done by a person who at the time of committing the offence, by reason of intoxication, was incapable of knowing the nature of the act or that what he is doing is either wrong or contrary to the law provided that, the thing which intoxicated him, was administered to him without his knowledge or against his will.

Reading through the provisions of section 85 of I.P.C above, it is clear that intoxication caused voluntarily does not excuse a person from the commission of a crime. However if a person due to the unskillfullness of his physician or with the connivance of his enemies, eats or drinks a substance causing him to get intoxicated in such situation he is excused.

Section 84 of the Indian Penal Code provides that if a person of unsound mind which includes, madness, lunatics, or any form of intoxication, commits an offence is exempted from criminal liability on the condition that the offence is committed involuntarily.

To summarise, these are some of the provisions of law which come to the rescue of the drug addict who commits crime, and in most incidents the criminal is always given benefit of doubt by the Court.

SUGGESTIONS:

To bring about a change in this modern society, and to make this world free of drugs, first and foremost, it is important that each one of us need to start imbibing within ourselves, strong moral values and creating awareness about the ill-effects of drugs primarily among our own families, and then to society. I am of the opinion that the following suggestions, perhaps, could have an effective control over drug abuse.

(1)To curb and control drug trafficking, the public should be encouraged to come forward and reveal information to the agencies about people dealing in drugs.

(2) Informers should be highly rewarded, informer's anonymity should be maintained, so as to safeguard him from the attack of drug mafia and the underworld.

(3)The number of rehabilitation centres for drug addicts should be increased and should be staffed with efficient counsellors, so that drug addicts undergoing treatment are counselled in a proper manner by imbibing into them the hopes of living a productive life once in society, and create a feeling of acceptance in the community.

(4) Periodical drug awareness programmes in schools and

ISSN 2231-5063 Volume-3, Issue-2, August-2013

general public with instructions to hand over the accused to the nearest police station for further necessary action.

(6) During rehabilitation, the addict should be taught some skilled trade so that after returning to society, he becomes self dependent and not a liability to his family and nuisance to others.

(7) The use of sniffer dogs to detect drugs is obsolete and outdated. With the invention of new drugs in the market, the drug dealers have outsmarted the agencies. It is, therefore, the need of the hour to invent devices for detection of drugs and the same should be done on a more scientific basis, rather than the adoption of conventional methods.

To sum up, if not now, than never, let us collectively in one loud voice condemn the sale, trafficking and consumption of drugs. If not, the Indian economy will be eroded slowly but surely and the quality of youth will deteriorate. We need to remember that the youth of today are the future of tomorrow.

If drug trafficking is not controlled today, we could be surely heading for drug wars, similar to countries like Mexico and the U.S.A., where the drug mafia is in control. We need to look into the drug menace not only as a social problem but as a national problem too.

For a better society, and for a better tomorrow, let us all join hands together to eradicate the nuisance of drugs from the surface of this earth once and for all. If we do not make sincere efforts to put an end to drug trafficking today, our children could be prone to be criminals of tomorrow.

6

colleges is a must to imbibe into the youth the ill effects of drugs on human society.

(5) Powers to apprehend drug dealers must be vested in the

Publish Research Article International Level Multidisciplinary Research Journal For All Subjects

Dear Sir/Mam,

We invite unpublished research paper.Summary of Research Project,Theses,Books and Books Review of publication,you will be pleased to know that our journals are

Associated and Indexed, India

- ★ International Scientific Journal Consortium Scientific
- * OPEN J-GATE

Associated and Indexed, USA

- EBSCO
- Index Copernicus
- Publication Index
- Academic Journal Database
- Contemporary Research Index
- Academic Paper Databse
- Digital Journals Database
- Current Index to Scholarly Journals
- Elite Scientific Journal Archive
- Directory Of Academic Resources
- Scholar Journal Index
- Recent Science Index
- Scientific Resources Database

Golden Research Thoughts

258/34 Raviwar Peth Solapur-413005,Maharashtra Contact-9595359435 E-Mail-ayisrj@yahoo.in/ayisrj2011@gmail.com Website : www.isrj.net