



Drug Trafficking in India

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DOI: <https://doi.org/10.55248/gengpi.4.923.92501>

ABSTRACT –

Drugs can be medicinal drugs and recreational drugs. Medicinal drugs are used to heal the ailments of the body while recreational drugs destroy the very psychological as well as physical states of the body by acting either as a bane or boon through biochemical reactions. The term illicit drug trafficking refers to the illicit involvement in cultivation, manufacture and distribution or sale of such substances. The researchers go deep into various forms of drugs produced in the context of India and it focuses the origin and history of its production especially at the hilly areas of Moreh of the northeastern state of Manipur which is labelled as the drug capital of India. The research also narrates the importance of the Golden Triangle and the Golden Crescent in furthering up the illicit drug mafia. It is a doctrinal research article aimed to eradicate the clutches of the illicit drug mafia with new legislations in collaboration with the international community.

KEY WORDS: Drug Trafficking, Illicit Drugs, Drug Mafia, Drug Capital, Abuse of Pharmaceuticals

INTRODUCTION

Drugs are those substances that brings about a change in the physiological as well as physical state of an organism acting either as a boon or a bane (United Nations International Drug Control Programme. Laboratory Section., 2003). The illicit trade involves the production, manufacture and sale of such produce (natural or synthetic drugs) in the black market for its distribution to the public. Except under licence, the manufacture, trade, distribution and consumption of drugs such as marijuana, cocaine or any other such drugs are prohibited by law (INTERPL, n.d.).

As per the world health rankings, considering 1,00,000 to be the standard rate, the US ranks the top with a rate of 21.28 relating to narcotic drug consumption followed by Canada (8.70), Australia (6.56), and, India is ranked 119th with a rate of 0.94. On the basis of opioid, cocaine and amphetamine consumption, the United States ranks the 2nd in amphetamine and 5th in case of cocaine and opioid. Scotland is known by the name as ‘Death Capital of the world’ as per the 1,00,000-drug standard. As per the current statistics by the experts, the kingdom of Saudi Arabia is now developing to become the regional destination of drugs making it the world’s Drug Capital. The claim of which country is the drug capital of the world depends either upon the production or the consumption factor making Afghanistan as one of the drug capitals of the world producing 90% of world’s Heroin. Not restricting to just heroin production, cannabis resin is also produced in this country (Chakraborty & Das, 2021).

Drugs come in varying forms. Those drugs which are commonly injected (intravenously, intramuscularly, or subcutaneously) are Heroin, Buprenorphine, and Propoxyphene. Gary Lewis, a representative of the UNODC said that the drug abuse is not limited to the urban circumference and the risk of such abuse is found in rural areas as well. According to a Govt report, the opioid consumers in India had an extent of 2.3 Cr in the year 2018 which is expected to have about 5-fold increase in the coming 12-15 years. It was found that the maximum growth of drug consumption was reported to be of heroin usage, an opioid synthesised from the resin obtained from the seed pod of various opium poppy plants (United Nations International Drug Control Programme. Laboratory Section., 2003).

MOREH: THE DRUG CAPITAL OF INDIA

Moreh, a small town of Tengenoupal district in Manipur with a population of not more than 17,000, now became India’s Drug Hub. The International border town in Manipur is under the influence of politicians, drug mafias, corrupt officials, and economic isolation where the drug trade has strengthened its roots. The two mega projects as we know, namely the Indian-Myanmar-Thailand trilateral highway connects the town of Moreh with Thailand through Myanmar, and the Trans-Asian Railway Project where the trade between South-East Asia and India making the border town an important checkpoint where opioids and opiates like Heroin, Morphine, Cannabis, Cocaine, and Synthetic drugs like Fentanyl, Methaqualone are imported. Opium is produced in Manipur where it’s sent to Myanmar and Thailand for the synthesis of the raw source to a suitable final product. According to the findings of UNODC, Afghanistan is ranked the first regarding to not only the production, i.e., 90% of the world’s opium production, and exportation but also on consumption basis (Drug Use in the Northeastern States of India, n.d.).

According to the recent news, on 5th of April, 2022, during a joint investigation by the 'Assam Rifles' and 'Manipur Police', drugs worth Rs.49.5 Cr was seized, and, similarly on 7th December, 2023 drugs worth over 500 Cr was confiscated from a house in Moreh(Das & Institute for Defence Studies and Analyses., 2012).

THE GOLDEN TRINAGLE AND THE GOLDEN CRESCENT

THE GOLDEN TRIANGLE:

India shares its boundaries with its seven neighbouring countries, (North-East) Afghanistan and Pakistan, (North-West) China and Nepal, (North) Bhutan, (East) Bangladesh and Myanmar. India is sandwiched between the Golden Crescent and Golden Triangle. The Golden Triangle comprising of Thailand, Myanmar and Laos being the second largest region in the world as far as opium production is concerned. When it comes to trade, India is not only a transit route but also a destination for import of natural as well as synthetic drugs. Due to India's close proximity with the Golden Triangle, several states like Manipur, Arunachal Pradesh, Tripura, Meghalaya, Assam, and, Mizoram are adversely affected. The lack of fencing across the Indo-Myanmar Border, cross-border crimes like drug smuggling and trafficking is currently rising at an alarming rate(Y. Mhalo Kithan, 2017). The National Crime Records Bureau (NCRB) in 2019 from Manipur has seized 3,075kg of opium-based drugs, 42,893kg psychotropic substances, and, Methamphetamine having more than 43,000kg worth(Das & Institute for Defence Studies and Analyses., 2012).

HISTORY AND THE ROLE OF LOCAL MAFIA IN DRUG GROWTH

Opium cultivation in India dates back to the period of British Rule. During the 18th and 19th century, the Britishers started growing opium in Bihar, Bengal and North-Eastern states in order to illegally export these produces to China in exchange for tea. The British were enthralled by the aromatic beverage making them one of the world's largest consumers of tea. Ironically, the Chinese got the opium, the British in return got tea in exchange for the opium produce, whereas, India got colonialism. Soon the system was stabilized and in Manipur started the opium cultivation. From there the involvement of local mafia has taken its ominous roots in the Indian lands. There was no central authority present there in order to regulate the opium poppy production and import of the Narcotic Substances has brought about the creation of a power vacuum within the territory(Prasad et al., 2015).

Luhkosei Zou, a politician-cum-drug lord (the former ADC Chairman) who in the late 1990s has actively played a major role in the affairs of Moreh's politics. He ruled the district from 2001-18, where, on 20th June, 2018, the superintendent of police of the Narcotics and Affairs of Border, Thounaojam Brinda, has successfully arrested Zou along with seven others as accused in the drug haul case (4.5kg Heroin, 28kg of World is Yours (WY) amphetamine tablets worth around 13.7 and 14 Cr respectively, along with cash worth Rs.57,18,000 were recovered). For the high-profile drug bust case, Brinda received the Gallantry Award which was announced by the Govt., N. Biren Singh. Zou has absconded for about a year hidden from the eyes of the public surrendered before the NDPS Court, Manipur where he was remanded. Later, on 2020, the Special Court (NDPS Court) of Imphal has acquitted Zou. In protest of it, the Manipur P.O. returned the award(Prasad et al., 2015). The drug lords are benefitting from the shortcomings and prevailing corruption. Manipur is one such example of inter-mixing of corruption and politics acting as an indirect catalyst for the thriving illegal business by the corrupted Govt. Officials (Arya & Ranjan Kumar, 2018).

THE GOLDEN CRESCENT

We know that a small town in Manipur is now the drug hub of India and is not simply confined to one particular place. Nowadays, drugs are trafficked and abused which extends to other states like Punjab, Uttar Pradesh, Maharashtra etc. As per the reports published by the INCB (International Narcotic Control Bureau) backed by UN, India as we know it today is a major hub for such illicit drugs. As far as the trades are concerned, India plays a vital role in drug trafficking, sharing a major portion in this global drug trade business which today exceeds \$650 Billion(Sangpui & Kapngaihlian, 2021).

The golden crescent (Pakistan, Iran, and Afghanistan) is the world's largest illicit drug supplier where a massive flow of these drugs takes place through the Indo-Pak border to reach India resulting in the adverse effect as we see now in places like Punjab where a day without these narcotic drugs is impossible to the drug addicts. Some may even go as far as to inject these drugs onto their genitals and passing these contaminated needles and syringes amongst the users. As a result of which many of the users now suffer from HIV and other such diseases and in the Muktsar district, there has been a rapid growth of this virus where 271 HIV positive patients were found from the month of April-December, 2022 (Farooq et al., 2017).

Drugs supplied in Punjab comes from the Golden Crescent and there's three routes for its supply to India and other countries. The Balkan route, Northern route and the Southern route. As per the opium imports made to India, the Southern route is vital as it passes through India where opium and other narcotic substances are brought in. According to SPYM, an NGO which provides for rehabilitation and treatments for drug users, in association with AIIMS has conducted a survey (Punjab Opioid Dependence Survey (PODS)) concluding that around 8.6 Lakh i.e., about 4.5% of adults are drug users. Both Pakistan and Iran now face an epidemic of drug addiction(Preeti Sharma, 2021).

SOME IMPORTANT DRUGS COMMONLY USED:

HEROIN AND FENTANYL:

In U.K., a group of experts have conducted an experiment and decided upon the gravity of harm the most recreational drugs with help of 16 parameters, including the kinds of physical, psychological, as well as social harm infliction by drug usage. Different drugs have different effect on our body. Some may cause about physical damage to the human body (e.g., completely dependent, loss of relationship and may even have reduced mental functioning), but these drugs may not be lethal. Studies suggest that the most lethal drug to an individual is Heroin. When injected, smoked or snorted enters our brain through bloodstream attaching itself to the opioid receptors present in our brain, creating a surge of pleasure sensation. It is highly addictive backed with intense withdrawal symptoms which some described to be the worst suffering when coming clean off of drugs. Symptoms like cold flashes, insomnia, nausea and vomiting, bone and muscle pain begin within hours of a hit, also effecting the receptors present within the brain stem which in turn adversely affects the psychological processes such as breathing causing it to slow down or stop entirely leading to death (Enevoldson, 2004).

Currently we are facing a fentanyl crisis caused due to pharmaceutical malpractices, over or mis-prescription by health-care-providers and the expanding illicit fentanyl production from India, China, and Mexico for trade business. Counterfeit drugs pose as a threat to India's very structure. As per the WHO Report from 2017, a claim of 10.5% of medical drugs sold in countries like India having low-to-middle income is falsified where a fake product (counterfeit) of the original one is distributed to patients threatening their safety by inducing health problems ranging from inconspicuous to fatal effect. The reason for such being its intense effect on the opioid receptors since Fentanyl is around 50 and 100 times more powerful than that of Heroin and Morphine respectively. Even about 2 milligrams can deliver a fatal dose. Nowadays, accidental OD and dependence is skyrocketing (Lucious Chabuka, 2023).

ECSTASY/MDMA AND OTHER AMPHETAMINE-TYPE-STIMULANTS:

India is not only a transit country acting as a trade hub but also acts as a market for ecstasy/MDMA and other Amphetamine-type stimulants. With passage of time, a number of drug addicted youth now find pleasure and happiness in a more fashionable yet destructive form of drugs such as meth, speed, ice, ecstasy/MDMA and W falling under the category of ATS made available in the form of pills, powder which are swallowed, smoked, snorted, or injected. Such drugs can easily be synthesised from inexpensive and readily available chemicals and seized mostly from North-Eastern part where India shares its border with Myanmar. From data on India's import sourced from seventy countries, it has been found that the shipments (import) in India was 307, carried out by 34 Indian importers from around 40-45 such drug suppliers. It was found that most of its amphetamine from the U.S., China and Israel, making India the largest importer of Amphetamine in the world followed by Indonesia and Bangladesh with 122 and 52 shipments respectively (Enevoldson, 2004).

ABUSE OF PHARMACEUTICALS

Codeine phosphate, a narcotic drug used in the preparation of cough syrups is abused in Tripura. This drug when used in large quantities causes addiction and several used bottles of the pharmaceuticals can be found lying around in public. Not restricting to Codeine phosphate, several pharmaceuticals like nitrazepam, buprenorphine alprazolam and many other such pharmaceuticals are misused in the state of Tripura. The problem of such misuse is now critical due to its easy availability and affordability (*Misuse of Prescription Drugs*, 2018).

TRANSACTIONAL ORGANIZED CRIME AND DARK-NET

India like many other countries is also attracted to the concept of Transactional organised crime making our beloved Bharat, a battleground. Crime is no new name in India. From ancient times crime and punishment has prevailed and even now, this ancient concept though modified drives each and every person to not commit a crime like a prudent man. If we are to take metropolitan cities like Mumbai, Bangalore, Ahmedabad, Kochi and Chennai, organised crime rate is higher. When it comes to organised crime, Mumbai, India's commercial capital is the first and worst followed by Ahmedabad and Bangalore providing with a perfect breeding ground for transactional organized crime groups like Dawood Ibrahim and other gangs run by notorious criminals. Among many crimes, illicit trafficking of drugs is the most significant one (Shankar Pratap Singh, n.d.).

The NCB has currently in its report states that trafficking organisations (Pakistan and Afghanistan) will most likely use the maritime routes. The DRI (Directorate of Revenue and Investigation) at Mundra port seized Afghan heroin (Rs.21,000Cr) on September, 2021. On April, 2021, at Tuticorin port, Cocaine worth 303kg, and seized 337kg and 300kg from 2 Sri-Lankan boats from around March-April (NARCOTICS CONTROL BUREAU Edi., 2012).

Tramadol (ISIS drug) were smuggled from Andhra Pradesh and Telangana to Sudan. On April, 2023, the company's director was arrested by the Mumbai customs officials for exporting tramadol tablets worth crores of rupees to Sudan and other such war-torn countries. The Tramadol seized was worth around 10 Lakh. On 13th of May, 2023, India's biggest drug bust was seen in the coast of Kerala where methamphetamine worth over 2,500kg was seized during the raid from a Pakistani national. It was suspected of the arrested to have a link with that of Dawood Ibrahim. The said consignment's worth was more than \$ 3 Billion (NARCOTICS CONTROL BUREAU Edi., 2012).

OTHER CHALLENGES IN DEALING WITH DRUG TRAFFICKING:

In the present day, a great number of dealers have left the traditional means of trade by switching onto to a more innovative and creative methods such as supplying narcotic drugs and psychotropic substances as well as weapons via drones as seen in Punjab. Similarly, during the COVID-19 pandemic,

the traffickers have undertaken methods such as parcel, courier, and so on. The links between the drug lords in India and the terrorist groups like the ISI (Pakistan) has revealed the nexus between the NRIs and the local drug lords, posing a serious threat to the public law an order(Sharma et al., 2017).

GOVERNMENT'S EFFORT TO PREVENT DRUG TRAFFICKING:

LEGISLATIONS

Today, the flow and control of Narcotic drugs and Psychotropic substances are controlled by the NDPS Act, 1985 with an object to prevent drug trafficking and its consumption. Earlier, there were previous legislations present in order to control the use of such drugs, i.e., The Opium Act, 1857 followed by The Opium Act, 1878, and The Dangerous Drugs Act, 1930. Later, these Acts were repealed by the NDPS, 1985 which is currently in force for conducting prosecution against illicit transportation and consumption. If done for medicinal and scientific purpose and nothing else, there will be no prosecution. Prosecution depends upon the nature, quality and quantity (small, medium, commercial purpose). When it comes to provision for bail, the NDPS Act, 1985 applies for a strict approach in granting bail i.e., Cognizable and Non-Bailable u/s 37. In general circumstances, an accused is 'innocent until proven guilty', whereas, in the NDPS Act, 1985, an accused is 'guilty until proven innocent'(NARCOTICS CONTROL BUREAU Edi., 2012).

CONVENTIONS:

Among the UN treaties, the UN Convention Against Illicit Traffic in NDPS, 1988 is one such treaty in force along with two other such UN conventions. Other conventions include The Convention on psychotropic substances and The Single Convention on Narcotic Drugs, 1961 being the conventions undertaken by the UN(UNITED NATIONS, 2010).

OTHER STEPS TAKEN BY THE GOVERNMENT:

Similarly, several agencies have been established by the Government to bring about reduction in drug trafficking and its abuse. Institutions like the NCB are enacted for this purpose as they act as a nodal means to deal with drug trafficking in our country. On practical application, drug trafficking cannot be eradicated but only reduced. If we are to cut down on the supply of such illicit drugs, then the demand will increase but with time the system will be stabilized. As we discussed, several agencies as well as treaties exist to control such illegal trade of Narcotic drugs and even the surveillance have been upgraded to prevent illicit trade of drugs(Prasad et al., 2015).

Not succumbing to the circumference of the preventive steps undertaken by the Govt, Educational Institutions can bring forth seminars, campaigns and other programmes regarding drug abuse to the awareness of the youth. A major portion of today's society have taken these drugs at least once in their life. It is important to mandate the implementation and regulation of such laws to punish the evils of drug abuse(INTERPL, n.d.).

CONCLUSION

So as to prevent drug trafficking, a comprehensive methodology to reduce both demand and supply of drugs has to be adopted. Several agencies aiming to eliminate the drug trade has to be coordinated to minimise such trafficking. It is crucial to develop a system to provide details and information to the police force as well as other enforcement agencies assisting them to find the supply source and also to pinpoint the connection between the distributors and that of the supply source. Dark net and crypto markets are a major means of drug trade, posing a threat to National Security. Curtailing the flow of money in the market helps in prevention of such trade to a great extent.

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