



DRUGS AND YOUTH - GROWING NEXUS OF CRIME AND LEGAL REDRESSAL

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Abstract: *Teenage drug abuse is on the increase throughout India. Drug and other psychotropic substance usage is a major problem, with over 90% of users being under the age of 25. Teens with substance abuse problems, such as those caused by cigarettes, narcotics, or alcohol, are more likely to engage in criminal activity. These drugs may make a person angry to the point where they commit horrible crimes including rapes, murders, and other forms of sexual violence. India is experiencing an addiction crisis. Almost three-quarters, or seventy-five percent, of Punjab's youth are severely dependent on narcotics. Cities like Mumbai and Hyderabad are gaining popularity as well as a notoriety for being drug hubs in India. Drug and alcohol abuse are now embedded in the fabric of our society.*

Keywords: *Illegal Drugs, psychotropic Substances, tobacco, alcohol, addiction, society.*

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Introduction

Substances like cannabis, booze, and cigarettes will compete for the attention of India's youth in the future. The need for treatment facilities, which has been steadily rising in recent years along with the number of drug users, was previously unthinkable. To accommodate the growing number of addicts, Delhi has a plethora of treatment centres. Addiction is becoming too much for India, despite the fact that over 500 centres around the nation work together to rehabilitate addicts and reintegrate them into healthy, productive lives.

Family and other influences may have a role in a person's decision to start using drugs or alcohol, but friends and acquaintances are often the most significant influences. Use of intoxicants is expensive because of the high expense of the chemicals themselves and the following medical care required to recover from the effects of intoxication. After using these substances, a person is indeed not himself, and committing crimes is much worse since it may lead to an ongoing struggle with the law [John B. Griffin JR., 1990].

1. The Habit of Substance Abuse

Drug abuse occurs when one uses drugs to harmful levels, either for oneself or for others. There are two types of dependency included by this definition: physiological and psychological. Long-term drug



usage may affect a person's physiology to the point that they experience withdrawal symptoms if they try to stop using the drug suddenly. A psychological dependency is a strong desire to keep using a substance while not having any physiological tolerance for it.

Many people, when they hear the term "substance abuse," automatically think of illicit drugs. The possibility for addiction or major negative health repercussions led to the prohibition of these drugs in the first place. Some individuals hold the view that engaging in drug use is irresponsible and even harmful. Source: [Csete J., 2016] Since they are either oblivious to or in denial of their addiction, many chronic users of these drugs will attempt to convince others around them that they are not experiencing any issues. There is a lot of human suffering caused by the effects of drugs, and crime and violence have occurred all over the globe as a result of the illegal manufacturing and sale of narcotics. The 26th of June marks the annual observance of International Day Against Drug Addiction and Illicit Trafficking.

There is still a lack of understanding about why young people get entangled with drugs, but we do know that numerous factors contribute to their first experimentation with these substances. After entering this world, most people think they can leave anytime they want, but the drugs have taken over their body and mind, and it's quite difficult to go out. The risk of drug abuse is inherited in 40% to 60% of cases. In both adults and children, the first steps towards drug use are often motivated by a search for a sense of pleasure and, at times, simple curiosity. Constant exposure to these drugs causes a person to become dependent on them and to want more and more of them. Drugs may be a crutch for adults dealing with mental health issues including anxiety, depression, and bipolar disorder.

While these are not the only causes of drug abuse, some individuals who are going through similar experiences may choose not to take part in these activities, while others may opt to bypass the underlying problems by engaging in risky behaviours like substance abuse.

Contributing aspects to criminal behavior and substance abuse:

- Addiction as a genetic trait
- Disturbed Sleep
- Discomfort that won't go away
- Difficulty with finances
- Loss of a loved one via divorce, separation, or death
- Long-term tobacco usage
- Disconnection from parents because to emotional turmoil at home
- Issues in the Relationships

Drug and alcohol intoxication is correlated with a surge in criminal activity. There have been several enactments of the penalties and acts. Despite the passage of several anti-drug legislation throughout the years, the problem remains out of hand.

2. Historical Perspective on India's Position

In 1930, Congress created the Dangerous Act to regulate the distribution of illicit substances including cocaine and cannabis. This was followed by the passing of the Drugs and Cosmetics Act in 1940, which established guidelines for the production and distribution of drugs including opium and cannabis. In a new direction, Article 47 of India's Constitution from 1950 makes it plain that the government shouldn't allow people to use drugs unless it's for medical needs. In 1985, the Drugs and Cosmetics Act was repealed in favour of the Narcotic Drugs and Psychotropic Substances Act, 1985 (NDPS Act). Consequentially, the NDPS Act was revised in 1989, 2001, and 2014. New provisions added to the NDPS Act in its third amendment, which took effect on May 1, 2014, were introduced in early 2014.

- (i) In order for the federal government to control and standardise the prescribing of critical narcotic prescriptions throughout the nation, a new classification was created.



- (ii) According to the "balance" between control and availability of narcotic drugs as envisioned by international drug control treaties, the law's purpose has been expanded from only controlling illegal use to also encouraging the therapeutic and scientific use of narcotic drugs and psychotropic chemicals.
 - (iii) Expressions like "drug addiction management" and "treatment centre approval" are included because legally regulated treatment standards may be established and medical interventions can be based on evidence.
 - (iv) Under Section 31A, the death sentence is made optional for successive drug-related offences involving a certain quantity of drugs. If the court finds that the defendant's conduct warrants a sentence of 30 years in prison, it may do so under Section 31.
 - (v) Infractions with a low frequency of occurrence now have a mandatory minimum sentence of one year in jail, up from six months before.
 - (vi) Making it legal for businesses to help refine opium or concentrated poppy straw
 - (vii) Forfeiture of assets of those accused of drug trafficking should be outlined in more detail.
- The penalty for violations of the NDPS Act of 1985 have been revised multiple times.

Death sentences under Narcotics Cases

- (i) In March of 2004, a Gujarat court sentenced Malik to 10 years in jail after seizing a truck with 142 kilograms of hashish, 55 kg of which were destined for Malik in Bombay. In December 2007, Malik was convicted guilty by the Bombay NDPS court of having hashish in his central depot and trying to smuggle it. The death penalty is mandatory under Section 31A of the Act after a second conviction.¹[3]
- (ii) An Gujarat sessions court ruled in September 2003 that Omkarnath Kak should be executed for possessing 28 kg of charas. Kak was arrested in 1988 with 40 kg of charas.²[4]
- (iii) A man from Amritsar was given the death penalty in January 2012 after being found guilty of narcotics trafficking in a separate trial. NCB used Section 31A of the NDPS Act, 1985 to prosecute Paramjeet Singh, presenting evidence of his prior conviction. Paramjeet was given a 10-year jail term in 2003 after being found guilty of having 6.12 kg of heroin by a court in Delhi. The NCB special court said, "the legislature has left no alternative for the court to issue any penalty other than execution for the following conviction under the NDPS Act" in explaining why it sentenced Paramjeet to death.³[5]

3. Impact of Sustained Drug Use

There is a murky connection between drug use and criminal activity. Buying, using, keeping, making, or selling drugs is against the law (such as cocaine, heroin, and marijuana). Abuse of legally obtained drugs has been connected to lawbreaking. As an example, prescription drug misuse has been related to counterfeiting prescriptions, operating phoney internet pharmacies, and stealing drugs. Because of their impact on user behavior and the prevalence of violence and other illegal activities throughout the drug production, distribution, purchase, and consumption cycle, drugs indirectly contribute to crime.

Drug abuse has caused many problems for modern culture. An rise in criminal activity is a direct result of this trend. In order to fund their habit, addicts often resort to illegal activity. Because of their effect on inhibition and judgement, drugs promote criminal behaviour. Drug usage has been linked to an increase in bullying, confrontations between groups, physical attacks, and even random murders. Addiction not only threatens financial security, but also generates strife and significant emotional anguish for all family members.

It's impossible to separate drug abuse from criminal activity. Society suffers when drug users commit crimes to fund their habit. In addition, many criminals act recklessly when high on narcotics. An further negative consequence of drug abuse is drug trafficking. The illegal production and distribution

¹ Available at: <https://mumbaimirror.indiatimes.com/mumbai/other/drug-peddler-handed-death-sentence/articleshow/15783811.cms>

² <https://blog.ipleaders.in/illegal-drugs-narcotic-substances/>

³ <https://indianexpress.com/article/cities/chandigarh/in-2012-narcotics-special-court-had-awarded-death-to-a-drug-trafficker-5243418/>



of drugs has contributed to crime and violence on a global scale, and has caused significant suffering among the general population. Addiction to drugs is a complicated problem that has far-reaching effects on many different scales, including society, culture, biology, geography, history, and the economy.

It has been shown throughout time that drug users are responsible for a disproportionately high percentage of criminal activity. There is also a striking contrast between the quantity of crime perpetrated during active addiction and non-addiction times. Additionally, there is a large disparity in the types and quantities of criminal activity done by various subsets of the addict population.

In the case of **Chandrasekaran vs. The State (2010)**⁴[6] The offender and the victim both had substance abuse problems. The deceased was an injecting victim of the accused. The trial court's judgement to find both defendants guilty under Sections 302 and 120B of the Indian Penal Code for criminal conspiracy to murder the victim was affirmed by the appellate court.

Incidence of Drug Abuse and Rehabilitation in Indian Households

About three quarters of Indian homes contain a drug user, most often a parent and commonly the father. Intoxicants are often experimented with by youth as young as 13 and 14, according to experts. Instead of questioning what's causing young people to become addicted, we should be asking what can be done to halt the trend. How to prevent them from getting their hands on it and thinking about it. Combating substance misuse requires concerted action. Adults who have never misused drugs but are considering starting to do so may be reached in this way. Awareness campaigns targeting adults help reduce this problem.

Here are a few potential preventative measures:

- Benefiting health
- Putting people first and encouraging communication and collaboration.
- Young people's involvement on a neighborhood level and a commitment to cultural norms.
- Encourage constructive options.

In India, de-addiction centres should target young people. Centers, often known as rehabilitation facilities, provide therapies & treatments to aid in the recovery from substance abuse. Substance abuse may be treated using a variety of approaches. Getting help is beneficial even if you have a serious condition. Typically, therapies are as follows:

Detoxification refers to the elimination of toxins from the body after drug use has ceased. Detoxification under medical supervision may be necessary for safety.

Medication-assisted treatments: Drugs may help ease withdrawal symptoms and curb cravings during detox.

Addiction's root causes may be treated with behavioural treatments like cognitive therapy or psychotherapy (talk therapy). Improvements in both self-esteem and coping abilities may result from therapy.

Opioid addicts have access to treatment options including methadone, buprenorphine, and naltrexone (including a new long-acting form), whereas nicotine addicts have access to nicotine patches and gum (patches, gum, lozenges, and nasal spray) Both varenicline and bupropion are effective treatments for nicotine addiction. Alcoholism and other drug addictions, including those to prescription drugs, are sometimes treated with the same medicines, such as disulfiram, acamprosate, and naltrexone.

Lastly, drug users often have additional health (e.g., depression, HIV) as well as occupational, legal, family, and social difficulties that need to be addressed simultaneously with their primary addiction treatment. The most effective programmes take into account the specific requirements of each patient and tailor their services accordingly. Some examples of psychoactive drugs include antidepressants, anti-anxiety drugs, and mood stabilisers. It is possible that antipsychotics and antidepressants are essential for treatment success in individuals with co-occurring mental diseases

⁴ CRL.A.Nos.592 and 636 of 2010.



including depression, anxiety symptoms (such as post-traumatic stress disorder), bipolar disorder, or schizophrenia.

4. Conclusion

Substance misuse is an intricate problem that has far-reaching effects on addicts' daily life. Recovering from addiction requires a whole lifestyle overhaul. The present political climate in India makes it imperative that harm reduction strategies be included into drug policy if the epidemic of substance abuse is ever to be eradicated. Indeed, there is a correlation between drug misuse, drug kind, and criminal behaviour. The degree of delinquency has risen in tandem with its rate of occurrence and has been shown to have a direct correlation with the rate of recidivism. Those who suffer from addiction are sometimes driven to resort to criminal behaviour in order to feed their habit. No one hires addicts. Because of this, they are unable to provide for even their most fundamental need. They take part in a wide variety of criminal activities, including smuggling, drug trafficking, theft, and prostitution. Hence, poverty, substance abuse, and criminal activity all perpetuate themselves. Taking precautions is more crucial than ever.

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