Critical Evaluation of Cases booked under NDPS Act in Chamarajanagar District of Karnataka reported over a Period of five-years

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ABSTRACT

Cannabis and its derivatives (Marijuana, Hashish/ Charas and Bhang) were legally sold in India until 1985. Consumption of Cannabis was not seen as socially deviant behaviour, and was viewed as being similar to the consumption of Alcohol. The Narcotic Drugs and Psychotropic Substances Act, commonly referred to as the NDPS Act came into force on 14 November 1985. Under the NDPS Act, it is illegal for a person to produce/ manufacture/ cultivate, possess, sell, purchase, transport, store, and/or consume any narcotic drug or psychotropic substance. Chamarajanagar, being the southernmost district of Karnataka, borders the state of Tamil Nadu and Kerala. Most of the district lies in the leeward region of the Nilgiris and consists of mainly semi-arid rain-dependent flatlands along with forested hills. Because of its connectivity with other states and suitable environmental conditions to grow these substances, it is considered to be a place where illegal cultivation and transportation is rampant. In the present study, all the cases that had been booked under NDPS Act over a period of 5years from 2010 to 2014 are critically analyzed and discussed.

Keywords: NDPS Act; Cannabis; Chamarajanagar.

INTRODUCTION

Drugs come in various forms, and can be taken numerous ways. Some are legal and others are not. Drug abuse and misuse can cause numerous health problems, and in serious cases death can occur.[1] These drugs or substance of abuse can be classified into three main groups: those that alter perception, those that stimulate the brain and those that depress it. Inevitably these groups overlap to some extent.[2] The use of opium for medicinal purposes in India can be traced back as far as 1000 AD where it finds mention in ancient texts such as Dhanwantri Nighantu as a remedy for variety of ailments. In Emperor Akbar time (1543 to 1605) opium was cultivated extensively in the Malwa (in MP) and Mewar (in Rajasthan) regions. For centuries, opium has been cultivated in the northeastern states of India for medical use by both people and livestock. It is also used in festivals and celebrations in these areas as well as Rajasthan. The Narcotic Drugs and Psychotropic Substances Act 1985 (NDPS Act) sets out the statutory framework for drug law enforcement in India. This Act consolidates the erstwhile principal Acts, viz. the Opium Act 1857, the Opium Act 1878 and the Dangerous Drugs Act, 1930.[1, 3, 4]

Effects of Drugs:

a. **Stimulant Effects:** Stimulant drugs, such as cocaine and amphetamines have a greater impact on the release of excitatory neurotransmitters and thus produce a higher level of wakefulness and a more radically altered mood.

b. **Depressant Effects:** Depressant drugs, like alcohol and heroin, work in much the same way on mood and personality but activate inhibitory chemical messengers.

c. **Hallucinogenic Effects:** Hallucinogenic drugs, like LSD and certain ‘magic’ mushrooms, affect those areas of the brain which control sensory perception and thought patterns. They do this by altering the way in which the messages are received and interpreted.

d. **Dual Action Drugs:** The arrival of a new range of drugs which seem to have a dual action has further complicated the picture. These are the stimulant psychedelics, of which ecstasy is the most well-known.[1, 2, 4]

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India is wedged between the world's two largest areas of illicit opium production, the Golden Crescent and the Golden Triangle. This proximity has traditionally been viewed as a source of vulnerability, since it has made India both a destination and a transit route for opiates produced in these regions. This fact continues to be important in defining drug trafficking trends in the subcontinent. However, the extent to which heroin seized in the country can be sourced to the diversion of licit opium grown in the country is a matter which continues to be debated.[4] Chamarajanagar has a population of about 10,20,962 people, Total geographic Area of the district is 5676 Sq Kms, divided into 4 Taluk (Yelandur, Gundlupet, Kollegal & Chamarajanagar) & has 14 police stations.[5]

MATERIAL AND METHODS

The present study was a retrospective descriptive study for a period of 5 years from 1st January 2010 to 31st December 2015, done in the Department of Forensic Medicine & Toxicology, Chamarajanagar Institute of Medical Sciences, Chamarajanagar. All the cases booked under NDPS Act were collected from all the police stations coming under the Chamarajanagar District. The details of each case were recorded in a proforma which had details of the persons involved, age, sex, demographic details, amount of drug seizure, type of drug seized, and reason for seizure among others.

RESULTS AND OBSERVATION

The total number of cases booked under NDPS Act in our study was 47. Among the 14 police stations, Ramapura Police Station accounts for 38% of drug seizures cases **(Table 1)**, closely followed by Hannur Police station with 28% of cases. Six police stations (Kuder PS, Santhemaralli PS, Terakanambi PS, Begur PS, Mamballi PS, Kollegal PS) among the 14 did not record even a single case under NDPS Act during our study period. In month-wise distribution of cases **(Table 2)**, it shows that the maximum number of cases were reported during the last quarter of the year i.e., from October to December which forms ~67% of the cases. Number of accused **(Table 3)** arrested in a single case shows that single persons were caught (n=40) more often than those who were caught in groups. Among the total persons arrested during the seizure, only 2 females were involved. Total seizures of drugs booked under NDPS Act during the study period were only related to Section 20 of NDPS Act **(Table 4).** The quantity of drug seizure is divided into small quantity, commercial quantity and intermediate quantity, with maximum cases reported in our study being commercial quantity forming 53.1% of all cases **(Table 5).** Illegal cultivation (87.2%) was the most important reason **(Table 6)** for drug seizure, followed by illegal transportation (6.3%) and while selling the drugs (4%).

Table 1: Shows cases booked under NDPS Act

S.No.	Police station	Number of cases	percentage
1	Town police station	1	2%
2	East police station	1	2%
3	MM Hills Police station	5	11%
4	Ramapura Police station	18	38%
5	Gundlupet Police station	2	4%
6	Hannur Police station	13	28%
7	Kollegal Police station	5	11%
8	Yellandur Police station	2	4%
9	Kuder Police station	0	0%
10	Santhemaralli Police station	0	0%
11	Terakanambi Police station	0	0%
12	Begur Police station	0	0%
13	Mamballi Police station	0	0%
14	Kollegal Town Police station	0	0%

Table 2: Month-wise distribution of cases

Month	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Number	5	0	1	1	0	0	3	1	3	14	8	10
Percent	10.6%	0%	2.1%	2.1%	0%	0%	6.4%	2.1%	6.4%	29.7%	17%	21.2%

Table 3: Total Number of accused in each drug seizure.

Pesons involved	Number	Percentage
Single person	40	85.1%
2 persons	4	8.5%
3 persons	3	6.3%
>/=4 persons	0	0%

Table 4: Total seizure of drugs

Drugs	Cannabis plant	Ganja
Quantity	806	1026.9 kg

Table 5: Quantity of drug seizure

Quantity	Number	Percentage
Small quantity	03	6.3%
Intermediate quantity	19	40.4%
Commercial quantity	25	53.1%

Table 6: Reason for drug seizure

Reason	Number	Percentage
Illegal cultivation	41	87.2%
While transportation	3	6.3%
Sales	2	4%
Kept in home	1	2.1%
Others	0	0%

DISCUSSION

In 2004, UNODC (United Nations Office on Drugs and Crime) and the Ministry of Social Justice and Empowerment, Government of India, jointly release the National Survey on the Extent, Pattern and Trends of Drug Abuse in India, the first of its kind. It showed that the number of chronic substance-dependent individuals were as follows: 10 million (alcohol), 2.3 million (cannabis) and 0.5 million (opiates).[4-6] In the present case, a total of 47 cases were booked under NDPS Act in the study period, with Cannabis plant & Ganja being the only variant among other drugs seized, which is similar to the survey done by UNODC in 2004, wherein though cannabis is at 1st place, other drugs have also been seized.[4] Similarly other studies show that, cannabis is the most sought drug after alcohol.[7-11] Among the police stations involved in the District, more than two thirds of the drug seizure cases were from 4 police stations (Ramapuara Police Station, Hannur Police Station, MM Hills Police Station & Kollegal Police Station) among the 14 police stations included in our study. The reason for this can be attributed to favorable growing conditions of the plant, dense forest plantations that cover these illegal plantations, these areas were initially controlled by Veerappan (Sandalwood smuggler) in Satyamangalam forest areas, for which police accessibility was very less. Off late, after his death, situation has been under the control of police and situation has improved.

Drug seizure of commercial quantity (53.1%)outnumbered the small quantity (6.3%) by a huge margin. Hence, it is very clear in the quantity seized that, the main intention was to transport the material to other neighboring states rather than self-consumption. In the month-wise distribution of cases, it is observed that majority of the drug seizures are between the months of October to January (78.5%), which gives an idea about the growing conditions of the plant on one side and requirement of these drugs during festive seasons (Diwali, Christmas & New Year) on the other hand.

CONCLUSION

Though the Central and State Government have taken so many steps in controlling the illegal drug cultivation and sales across the Nation, so many cases have been reported regarding the illegal cultivation and sales of these drugs. Through this study, we have collaborated with the Police Department in pin pointing the high risk areas of illegal cultivation, peak timing for transportation in the year, providing monetary prize for those who give hint regarding these illegal activities, educating public through cutouts in public places. We believe that, similar studies in future will definitely cut down the number of illegal cultivation

of drugs in our District & we recommend similar studies to be taken up in other districts also, to reduce this illegal cultivation of drugs.

CONFLICTS OF INTEREST

Declared none.

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