

A Critical Analysis of Drugs Abuse Among Children in India

Ankita Khamari¹

Madhusudan Law University, Cuttack

Abstract:- Drug abuse is a growing societal problem, particularly affecting youth and juveniles who are vulnerable due to their social circumstances. This research paper seeks to investigate the factors contributing to children's drug abuse and its consequences. It discusses how adolescents who misuse drugs often become entangled in a cycle of drug-related crimes to sustain their addiction. The study also addresses the increasing threat of substance misuse among children, which negatively impacts their physical, psychological, and social development, hindering the acquisition of essential life skills. Additionally, the paper examines the legal framework in India related to drug misuse. It focuses on understanding the genetic, psychosocial, and socioeconomic factors associated with drug dependence in children. India requires further research to assess the current state of the drug epidemic and explore potential solutions to this pressing issue.

Keywords:- Drugs, Psychotropic Substance, Juveniles, Intervention, Awareness.

I. INTRODUCTION

➤ *“Children are our Greatest Treasure. they are our future.”- Nelson Mandela*

Children are not only a source of pride for their families but also the cornerstone of our nation's future. India, with a population of over 1.3 billion, boasts the world's largest child population, as indicated by the 2011 census.² Among this vast demographic, those aged between 10 and 19 years make up 22.8%, totaling 243 million individuals, while those between 5 and 9 years constitute 12.5% of the population.³ These age groups are particularly vulnerable, requiring special attention to support their social, educational, moral, and physical development.

According to estimates from the National Commission for the Protection of Child Rights, a significant portion, ranging from 40% to 70%, of India's homeless children, which amounts to 18 million individuals, face the grim

reality of drug addiction. Alarmingly, one out of every five drug users in India is a young boy. Additionally, the country is home to more than 500,000 street children living and working in deplorable conditions, making them highly susceptible to substance abuse. It's worth noting that this figure could be a substantial underestimate. Even with the most conservative estimate, it can be surmised that approximately 25% to 29% of street children in India are involved in drug abuse. This concerning trend has triggered heightened public concern in recent years, particularly regarding the high prevalence of drug abuse among children. Several states in India, including Punjab, Haryana, Rajasthan, Gujarat, Hyderabad, and Andhra Pradesh, have witnessed a stark increase in drug abuse among children, as reported by the UNDCP's World Drug Report for 2022.⁴

Drug addiction encompasses a history of using psychoactive substances, such as alcohol and synthetic drugs, in a manner that is detrimental to one's health or poses risks. Initially seen as a problem primarily affecting street youth, working children, and trafficked minors, drug addiction has now permeated into the lives of school-going children from various socio-economic and educational backgrounds. What's particularly concerning is the declining age at which children are initiating substance use, and despite concerted efforts at personal, societal, and governmental levels, it remains challenging to effectively regulate the availability and distribution of drugs to children. A wide array of substances are accessible, with the most prevalent being nicotine, found in cigarettes, "bidis," and products like "gutkha." Additionally, inhalants and volatile substances, such as adhesive glue, petrol, gasoline, thinner, and spirits, are commonly used. Other substances include alcohol, liquor, cocaine, opium, Bhang, Ganja, Hashish, and more. UNICEF has highlighted that a significant portion of active drug users falls within the 14-20 age group globally, a particularly critical concern for India, given its status as home to the world's largest child and youth population. This demographic is at risk of becoming a burden due to the escalating prevalence of drug abuse and addiction.⁵

¹ LLM, 3rd semester, Madhusudan Law University, Cuttack, Odisha.

² Census of India 2011. New Delhi: Office of Registrar General and Census Commissioner, Ministry of Home Affairs, Government of India; 2011.

³ Planning commission. Draft final. Report of the working group on adolescents for 11th Five Year Plan (2007–2012). New Delhi: Government of India; March 2007.

⁴ UNDCP *World Drug Report 2022* (Jun 27, 2022), available at <http://www.unodc.org/unodc/en/data-and-analysis/world-drug-report-2022.html> (visited on September 29, 2022).

⁵ The Indian Express. (2015). *"India to surpass China by 2022 to become world's most populous nation."* Retrieved from https://en.wikipedia.org/wiki/Demographics_of_India#cite_note-IE-7. (last visited on September 27, 2022).

➤ *Who is a Drug Addict?*

A drug addict is an individual who experiences a dependency on narcotic drugs or psychotropic substances. According to the NDPS Act, anyone who aids a narcotic trafficker or conceals narcotics on behalf of another person will face legal prosecution. This is because they possess full awareness of having committed a criminal act or being on the verge of doing so, as established in the case of R.V. Jakson.⁶

II. REVIEW OF LITERATURE

- Dr. S.S. Srivastava's book, "Criminology, Penology, Victimology" is a comprehensive work on various aspects of criminology, penology, and victimology. However, it does not primarily focus on the specific topic of drug abuse among children. While it may touch upon broader issues related to substance abuse, the book does not provide an in-depth literature review specifically dedicated to the subject of children's drug abuse.
- Prof. S.N. Mishra's book, "Indian Penal Code",⁷ primarily focuses on the Indian Penal Code sections 272 to 276, which deal with offenses related to adulteration of food and drinks. This book does not appear to provide a dedicated literature review or comprehensive coverage of the topic of drug abuse among children.
- The research article "Substance Abuse among Children: A Rising Problem in India" by B.S. Rathore, U. Joshi, and A. Pareek, provides valuable insights into the escalating issue of drug abuse among children in India. The authors conduct a thorough examination of the factors contributing to this problem, its prevalence, and its consequences on the young population. They also explore potential preventive measures and interventions. This article serves as a pertinent resource for understanding the complexities of drug abuse among children in India, offering a foundation for further research and policy development in this critical area.⁸
- C. Dhawan's research article, "Drug Abuse in Indian Slums," delves into the specific context of substance abuse within Indian slum communities. The study provides an in-depth analysis of the patterns, prevalence, and societal factors driving drug abuse in these marginalized areas. Dhawan's work sheds light on the unique challenges faced by children in slums regarding substance abuse and offers insights into potential strategies for intervention and support. This research is a crucial contribution to understanding and addressing drug abuse issues, particularly among vulnerable populations residing in Indian slums.⁹
- The research article titled "Pattern and Profile of Children Using Substances in India: Insights and Recommendations" by A. Dhawan, R.D. Pattanayak, A. Chopra, V.K. Tikoo, and R. Kumar, offers a

comprehensive examination of substance abuse among children in India. This study presents valuable insights into the prevalence, patterns, and profiles of children involved in substance abuse, emphasizing the urgent need for preventive and intervention strategies. The research contributes significantly to understanding the multifaceted issue of drug abuse among children and provides essential recommendations for addressing this critical public health concern in India.¹⁰

III. SOCIAL AND CULTURAL FACTORS ASSOCIATED WITH DRUG ABUSE IN CHILDREN

Various factors contribute to the initiation and perpetuation of drug abuse in adolescents, making it a complex phenomenon. The initiation of drug use is influenced by multiple elements. Social and cultural factors that drive the initiation of drug use differ significantly between countries, from developed nations to developing ones, from region to region, and among various cultural groups.

➤ *Parental Impact:*

Parents wield significant influence over their children, and research shows that children of parents who smoke are twice as likely to become smokers themselves. When parents disapprove of smoking, adolescents are less inclined to start smoking. In some cultural groups, the use of substances like Bhang and Charas by adolescents may be socially accepted and even approved by parents. Parental attitudes toward alcohol also play a pivotal role in whether adolescents initiate alcohol or drug use.

➤ *Family Structure:*

Childhood abuse stands out as a notable risk factor for future substance abuse. In the case of female children who experienced physical abuse during their childhood, their likelihood of drug abuse was found to be twice as high compared to non-abused children.¹¹ Additionally, higher levels of parental education and socioeconomic factors exhibit an inverse relationship with the use of psychoactive substances among adolescents. Smoking prevalence tends to be more common in families with lower socioeconomic and educational statuses within society. Children who are orphaned or must fend for themselves without parental support face a significantly higher risk of engaging in drug use. Those using inhalants often come from backgrounds characterized by low socioeconomic status, involvement in unskilled labour, and unstable family incomes. Furthermore, issues like marital discord, parental divorce, and single parenting are associated with drug abuse among adolescents.

⁶ (1997) 35 (2d) 331.

⁷ Prof. S N Mishra Indian penal code 438-440, (Central Law Publications, Prayagraj, 22nd edn., 2022).

⁸ B S Rathore, U Joshi, & A Pareek "Substance Abuse among Children: A Rising Problem in India". *International Journal of Indian Psychology*, Vol. 5, (2017).

➤ *Peer Influence:*

Peer pressure plays a pivotal role in the initiation of tobacco and drug use, and interestingly, it can also influence drug abstinence.¹² Adolescents tend to form their own peer groups, and friends hold significant sway over young individuals in matters related to substance use. In many cases, the initiation of tobacco use occurs when an adolescent is in the company of a friend who smokes. Notably, female adolescents who have a best friend who smokes face a ninefold increase in the risk of becoming smokers themselves. Concerning cannabis abuse within the school-going population, it has been linked to poor academic performance, increased school dropout rates, and the reinforcement of behavioural issues. Peer influence can both drive substance use and act as a deterrent, shaping the choices adolescents make in this regard.¹³

➤ *Influence of Role Models:*

Celebrities from the world of film, television, pop music, and fashion often portray smoking as stylish and appealing, leading adolescents to emulate their smoking habits. These influential figures can have a profound impact on the minds of young people, making smoking appear fashionable.

➤ *Advertising and Promotion:*

Advertising serves as a powerful tool in shaping the decisions of young individuals when it comes to initiating smoking. The effectiveness of advertising bans in reducing the prevalence of cigarette smoking among youth has been well-documented. In response to this, the Indian Government has implemented an Act to prohibit the advertisement of cigarettes and other tobacco products, recognizing the significant role advertising plays in influencing young people's choices regarding smoking initiation.

➤ *Socio-economic Factors:*

Drug abuse rates vary among both lower and higher income groups, depending on the type and cost of the specific substance in question. Adolescents hailing from both low and high socioeconomic backgrounds exhibit differing patterns of substance abuse. It's worth noting that adolescents from lower socioeconomic backgrounds are more inclined to take up smoking compared to their middle-class peers. In India, bidi and cigarette smoking are prevalent among adolescents due to factors such as easy accessibility, affordability, and user-friendliness.¹⁴ Adolescents from low-income families often turn to inexpensive and illicitly produced country-made liquor. Inhalant use is also common among adolescents from

economically disadvantaged backgrounds. On the other hand, adolescents with substantial pocket money or those belonging to affluent social circles tend to gravitate toward more expensive substances like cocaine, amphetamines, and methamphetamines. Once they become addicted, their drug choices often revolve around substances that deliver a pronounced euphoric effect.¹⁵

➤ *Availability:*

The accessibility and availability of drugs or alcohol are pivotal factors influencing the initiation and continuation of drug abuse among adolescents. When an adolescent has easy access to drugs or alcohol, often due to parental or older sibling usage, they are more inclined to experiment with these substances. Similarly, when peer group members make these substances readily available, they can effectively recruit new adolescents into drug use.¹⁶

➤ *Knowledge, Attitude, and Beliefs:*

Having knowledge about the detrimental health effects of substance abuse acts as a preventive factor against drug use. However, some individuals hold beliefs that moderate alcohol consumption is harmless, quitting tobacco may lead to weight gain, and cannabis is a social and religious blessing from the gods. These misconceptions can lead adolescents to use drugs without reservations or feelings of guilt. Additionally, a positive attitude toward drugs is a significant driver of drug initiation among adolescents.¹⁷

IV. IMPACT ANALYSIS

➤ *Health Impact:*

Drug abuse has become a leading cause of the increased prevalence of HIV/AIDS and other bloodborne diseases among young people. This is particularly concerning due to the growing use of new synthetic injectable drugs that require administration directly into the bloodstream using syringes. Unfortunately, due to limited economic resources, many children end up sharing needles with their peers, inadvertently transmitting infections among themselves. Some even continue using the same syringe for an extended period, which poses severe health risks.¹⁸ Moreover, a significant number of these children are already malnourished, and drug abuse further weakens their immune systems, rendering them highly susceptible to illnesses. Juvenile drug addicts face a range of health hazards, including nausea, abdominal pain, brain damage, memory loss, lung disease, seizures, strokes, mental confusion, liver problems, and heart disease, among others.¹⁹

⁹ C Dhawan. "Drug abuse in Indian slums". *IJPSL Vol 1, Issue 1* (2020).

¹⁰ A Dhawan, Rd Pattanayak, A Chopra, Vk Tikoo, R Kumar. "Pattern and profile of children using substances in India: Insights and recommendations". *Natl Med J India* (2017)

¹¹ E.M. Bennet, K.J.Kemper, "Is abuse during childhood a risk factor for developing substance abuse problems as an adult?" *JDBP* 426-429(1994).

¹² SS Robin. EO Johnson "Attitude and peer cross pressure: adolescent drug and alcohol use", *J Drug Educ.* 69-99(1996).

¹³ *Ibid.*

➤ *Social Impact:*

A significant portion of juveniles involved in drug abuse or exposed to peers engaged in drug abuse typically falls within the category of "Children in need of care and protection." However, their situation doesn't always meet the criteria outlined in section 2(14), which means they may not necessarily be sent to reformatory institutions. This legal and social gap leaves juvenile drug abusers without access to proper care and rehabilitation. Even when these juveniles express a desire to break free from their drug-dependent lives, they often lack awareness or guidance, which leads to increased suffering and ignorance about their future prospects.²⁰

➤ *Legal Impact:*

The Narcotics and Psychotropic Substance Act of 1985 was enacted with the aim of imposing stringent regulations and controls on drug and psychotropic substance-related operations.²¹ This act has undergone three amendments in 1989, 2001, and 2014. Despite these efforts, easy access to drugs among juveniles living in slum areas has proven difficult to curb. The legislature has recognized various shortcomings in the existing NDPS Act of 1985, leading to ongoing discussions in the Lok Sabha regarding the NDPS (Amendment) Bill of 2021.

➤ *Economic Impact:*

The cost of drugs is generally not high, given that they are contraband items, and their production and distribution entail certain risks. However, for children, particularly those with limited financial resources who can barely afford basic necessities, drugs become a priority. A juvenile who is addicted to drugs is more likely to choose drugs over food when faced with that decision. Additionally, drug-addicted juveniles often exhaust their earnings on drugs and, when unable to manage their finances, accrue debts they struggle to repay. This perpetuates their cycle of poverty and economic hardship.²²

➤ *Political Impact:*

The government has implemented several measures, including the introduction of the National Drug Policy in 2012. Specialized drug law enforcement agencies like the Narcotics Control Bureau (NCB) and the Central Bureau of Narcotics (CBN) have been empowered to effectively administer all aspects of the NDPS Act of 1985. Additionally, the government has organized awareness programs targeting rural, urban, and marginalized communities as part of its efforts in this regard.²³

¹⁴ Indu Debarat "A Critical Impact Analysis of Drug Abuse by the Juveniles of Indian Slums" *International Journal of Law Management & Humanities* (2016).

¹⁵ *Supra* note 9.

¹⁶ Gautam ghose "Substance Abuse among young people in India- approaches at curbing the menace" *SSRN*(2013).

¹⁷ Mohan D, Rustagi PK, Sundaram KR, Prabhu GG. Relative risk of adolescent drug abuse: Part I Socio-demographic and interpersonal variables. Available at: <http://www.unodc>. (last visited on 27, September, 2022).

¹⁸ C Dhawan. "Drug abuse in Indian slums", *IJPSL Vol 1, Issue 1* (2020).

¹⁹ R Ghulam "Drug abuse in slum population." *Indian journal of Psychiatry*;58(1),83-86. (2016).

²⁰ *Supra* note 12.

²¹ Sharma B and others. "Drug abuse: Uncovering the burden in the rural Punjab." *Journal of family medicine and primary care*, 6(3),558 (2017).

²² *Ibid*.

V. ACT DEALS WITH DRUGS ABUSE IN INDIA

➤ *The Narcotics Drugs and Psychotropic Substance Act 1985*

The Narcotic Drugs and Psychotropic Substances (NDPS) Act of 1985 was enacted with the objective of consolidating and reforming legislation related to narcotic drugs and implementing strict control and regulation measures for activities involving these substances. Under this legislation, it is deemed illegal to engage in various activities related to narcotic drugs and psychotropic substances, including their production, manufacture, cultivation, ownership, sale, transfer, purchase, or consumption. It's essential to note that the legal definition of "narcotic" differs from its medical usage, encompassing substances like opiates, cannabis, and even stimulants such as cocaine.

- The NDPS Act allows for the establishment of Special Courts, introduced through an amendment in 1989, with a single judge having authority over all NDPS Act offenses. The Act incorporates several procedural safeguards, such as the requirement for a Panchnama, seizure reports, seal reports, and proper arrest reports.
- One noteworthy aspect of the NDPS Act is that both drug possession and consumption are offenses. This means that even if you possess illegal drugs without consuming them, you can still be penalized under the Act. The consumption of drugs is punishable under Section 27 of the NDPS Act.
- Punishments under the NDPS Act depend on the quantity of drugs involved. The Act classifies drug quantity into two categories: Small Quantity and Commercial Quantity, each with varying degrees of punishment specified by the Act.
- Penalties for drug-related offenses under the NDPS Act range from 6 months to a maximum of 20 years of rigorous imprisonment. Additionally, Section 31A of the Act prescribes the death penalty for repeated offenses or specific rare cases.
- The NDPS Act includes special provisions for addicted individuals. If an accused person expresses an intent to undergo a de-addiction program, they can be immune from prosecution under Section 64A of the NDPS Act, which provides immunity to addicts volunteering for treatment.

➤ *Narcotics Control Bureau*

Narcotics Control Bureau was established in 1986 as per the NDPS Act, it is the apex body that regulates drug trafficking in India. The headquarters of NCB is at New Delhi, and the zonal office is in Mumbai, Kolkata, Chennai and Varanasi.

➤ *The Drugs and Cosmetic Act (1940)*

This Act was amended in 1964, and very recently in 2008. It deals with “the import, manufacture, distribution, and sale of all kinds of drugs (allopathic, ayurvedic, unani, siddha, etc.) and cosmetics”. As per the Act, “every patented or proprietary medicinal preparation should display on the label of the container, either the exact formula or a list of the ingredients”. The modified Act has increased the severity of penalties for a variety of offences, including the selling of counterfeit medications, drug and cosmetic adulteration, hazardous pollution, and so on.

➤ *The Drugs Control Act (1950)*

This act oversees the distribution and sale of medications. It also instructs manufacturers and business owners on setting the highest price for each drug.

➤ *Indian Penal Code 1860*

- *Section 272: Adulteration of food or drink intended for sale.*²⁴
- *Section 273: Sale of noxious food or drink.*²⁵
- *Section 274: Adulteration of drugs.*²⁶
- *Section 275: Sale of adulterated drugs.*²⁷
- *Section 276: Sale of drug as a different drug or preparation.*²⁸
- *Chota Singh v. State of Haryana*²⁹ - the Punjab and Haryana High Court upheld the conviction of a drug peddler and expressed that individuals involved in drug peddling have significantly harmed the cohesion of our society.

Justice *H.S.Madan* emphasized that drug peddlers should not be shown any sympathy because they have negatively influenced the youth. Addressing the complex issue of substance abuse in children requires a multifaceted approach, as there is no single solution. Preventive strategies are essential to combat substance abuse in children, considering its widespread occurrence and the negative impact it has on their health and performance.³⁰ This paper

outlines suggested steps for preventing substance abuse in children.

VI. PREVENTIVE STRATEGIES OF DRUG ABUSE IN CHILDREN

- Children should have a well-structured and productive schedule with meaningful activities or group involvement to develop good habits and keep busy with productive work.
- Schools and institutions should regularly monitor students' performance, behavior, attendance, and report any suspicious findings to parents, taking appropriate actions.
- Parents and caregivers should stay connected with their children, be aware of their interests and peer groups, monitor school and tuition attendance and performance, attend parent-teacher meetings, and observe their child's behavior patterns.
- Parents, caregivers, teachers, and friends of children facing substance abuse should work together to boost their self-esteem, confidence, and guide them towards making healthy choices. Communication channels should be open, and patience and faith in the child should be maintained as overcoming substance abuse takes time.
- Parents should be role models in promoting healthy practices and educating their children about the dangers of substances like alcohol, cigarettes, and drugs. Parents facing substance abuse issues can share their experiences to help their children understand the harmful effects and seek help to quit.
- Communities and society should take a stand against the trade, trafficking, and demand for substances. They should report any illegal activities to the police.
- The government should organize awareness campaigns and health advertisements, especially in rural and underserved areas, to inform people about substance abuse, its effects, and available treatments.
- Substance abuse education should be included in school and college curriculums as a compulsory topic to raise awareness among students.
- The government, society, parents, teachers, and ethical committees should monitor and control misleading advertisements for substances like tobacco and liquor. Legal measures should be taken to regulate the supply and demand of substances.

²³ A Dhawan, Rd Pattanayak, A Chopra, Vk Tikoo, R Kumar. "Pattern and profile of children using substances in India: Insights and recommendations". *Natl Med J India* (2017).

²⁴ Prof. S N Mishra *Indian penal code 438-440*, (Central Law Publications, Prayagraj, 22nd edn., 2022).

²⁵ *Ibid.*

²⁶ *Ibid.*

²⁷ *Ibid.*

²⁸ *Ibid.*

²⁹ 2022 SCC Online P&H 2409

³⁰ B S Rathore, U Joshi, & A Pareek "Substance Abuse among Children: A Rising Problem in India". *International Journal of Indian Psychology*, Vol. 5, (2017)

- June 26 is recognized as the International Day against Drug Abuse and Illicit Trafficking, established by the United Nations in 1987. It aims to sensitize people, especially children, to the dangers of substance abuse. The 2017 theme is "ListenFirst," encouraging parents to listen to their children and understand their needs and concerns, including their interests in sports, co-curricular activities, brain games, and reading good books.

VII. CONCLUSION

Given India's significant child population and the rising issue of drug abuse among juveniles, it is crucial to act promptly. If we do not take necessary steps now, the damage may become irreversible. We need to focus on creating targeted awareness programs, especially for marginalized sections, with a strong emphasis on juvenile awareness to prevent further harm. It's not just about spreading awareness; we also need effective surveillance and strict enforcement of laws on the ground. The government should collaborate with specialized agencies and NGOs to achieve better results. As Mahatma Gandhi once said, "If you want real peace in the world, start with children." It's high time we eliminate the threat to India's greatest strength, our young population.

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