

DRUG TRAFFICKING IN INDIA: DIMENSIONS, CHALLENGES AND RESPONSE

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DRUG TRAFFICKING IN INDIA: DIMENSIONS, CHALLENGES AND RESPONSE

by

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Certificate

This is to certify that the thesis titled “**Drug Trafficking in India: Dimensions, Challenges and Response**” being submitted by **Ms. Megha Chauhan** to the Department of Humanities and Social Science, Indian Institute of Technology Delhi, for the award of the degree of **Doctor of Philosophy**. She has faithfully carried out her study under our guidance and supervision and the accompanying thesis is her genuine and original work.

The results contained in this thesis have not been submitted, in part or full, to any other University or Institute for the award of any degree or diploma.

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(Megha Chauhan)

Abstract

From the drug dealers present at the nook and corners of the country to the clandestine meth lab in the abandoned provinces, from hundreds of pounds of drugs seized, to few grams of controlled substances recovered from the individuals, illegal drugs infiltrate the entire country in some or the other way. Over the past decade, new and more dangerous drugs have penetrated the market along with the conventional drugs. Synthetic drugs, pharmaceutical preparations, precursor chemicals, psychoactive substances etc. are gradually capturing the illegitimate drug markets. The illegal drug trade holds the capability of creating a global black-market economy which could shake the entire economy of any nation. Drugs were present in the society, they are present in the society and also, they will be there in the society. The only thing which has been changing over the past few years are the types of drugs trafficked, modus operandi of trafficking and profile of drug traffickers etc.

This piece of research is an attempt to put different aspects of drug trafficking like trend, modus operandi, profile of the drug traffickers, preparedness of the investigating agencies and problems and constraints faced by the enforcement authorities at one place. Adopting the exploratory research design and triangulation methodology which is inclusive of quantitative as well as qualitative analysis, the study was conducted in Delhi. The data was collected from convicts of the Narcotic Drugs and Psychotropic Substances Act, 1985 which are lodged in Tihar Jail, Investigation Officers of drug crimes, Judges and experts of the field with the help of Interview schedules and Interview guides.

Starting off with the elucidation of basic concept of drugs and drug trafficking, detailed thematic review of literature has been conducted. Keeping the main objectives of the study in mind, recent trends in drug trafficking and modus operandi of the drug traffickers have been highlighted. Thematic analysis of nine case studies has been done. The information for the

cases was collected by the researcher from the convicts of drug trafficking in Tihar Jail, New Delhi.

Socio-Economic and demographic antecedents of the drug traffickers have also been analyzed in the study. Various statistical tests like Chi-Square test, Independent-T test and One-way ANOVA have been applied to determine the effect of various Socio-Economic and demographic variables on several aspects of drug trafficking. Facts like educated traffickers are less remorseful for committing crime and also the traffickers from financially sound background are more prone to indulge into drug trafficking again etc. have been revealed in the study.

Since investigating personnel are the first one to encounter the drug cases, their preparedness to tackle drug crimes has been analyzed and it was discovered that the investigation staff are under-prepared and under-equipped to deal with drug menace. Techniques like Exploratory Factor Analysis and Confirmatory Factor Analysis have been used to determine the underlying factors pertaining to preparedness of the police. The governing legislative policy i.e. The NDPS Act, 1985 was critically analyzed with the help of interviews conducted and several shortcomings of the Act in procedural and investigative laws have been highlighted. Also, the problems faced by the investigative authorities while dealing with drug cases have been dealt in detail with the help of interviews.

The study has been concluded by delineating the conclusion drawn for each framed objective. Keeping in mind the fact that drug menace is going to endanger the social, economic and political systems in the country in the near future, unless and until efforts are made on war-footing to control it by specific legislative and executive interventions, some suggestions have been made at the end of the work, envisioning the control over drug epidemic, to certain extent.

सार

देश के गली-कूचों में मौजूद नशीले पदार्थों के विक्रेताओं से लेकर दूर-दराज स्थानों में लुक-छिप कर चलने वाली अवैध मेथ प्रयोगशालाओं से सैकड़ों पाउंड नशीले पदार्थों को जब्त किया जाना और अलग-अलग व्यक्तियों से कुछ ग्राम नियंत्रित पदार्थों का पकड़ा जाना यह दर्शाता है कि पूरे देश में अवैध नशीले पदार्थों की घुसपैठ किसी न किसी प्रकार से हो रही है। यह अवैध धंधा, एक वैश्विक काला बाजार-उन्मुख अर्थव्यवस्था को निर्मित करने की क्षमता रखता है जो किसी भी राष्ट्र की सम्पूर्ण अर्थव्यवस्था को झकझोर सकती है। नशीले पदार्थ समाज में पहले भी मौजूद थे, वे समाज में आज मौजूद हैं और वे समाज में आगे भी रहेंगे। पिछले कुछ वर्षों में अगर कुछ बदला है तो वह है: तस्करी किये जाने वाले नशीले पदार्थों के प्रकार; तस्करी की कार्यप्रणाली; और तस्करी के प्रोफाइल।

प्रस्तुत शोध कार्य, नशीले पदार्थों की तस्करी से जुड़े विभिन्न पहलुओं को एक साथ लाने का प्रयास है; जैसे प्रवृत्तियाँ, कार्यप्रणाली, तस्करी के प्रोफाइल, जाँच एजेंसियों की तैयारी, और प्रवर्तन अधिकारियों के सम्मुख आने वाले अवरोध। मात्रात्मक विश्लेषण के साथ-साथ गुणात्मक विश्लेषण के अन्तर्गत प्रयुक्त गवेषणात्मक शोध अभिकल्प और त्रिकोणीय प्रविधि को अपना कर इस अध्ययन का संचालन दिल्ली में किया गया। इस अध्ययन हेतु डाटा-संकलन का कार्य साक्षात्कार शोड्यूल्स और साक्षात्कार गाइड्स की सहायता से संपन्न किया गया तथा इस हेतु 'स्वापक औषधि और मनःप्रभावी प्रदार्थ अधिनियम (1985)' के अधीन तिहाड़ जेल में सजा काट रहे कैदियों, नशीले पदार्थों से जुड़े अपराधों की जाँच करने वाले अधिकारियों, एवं इस क्षेत्र से सम्बन्धित न्यायाधीशों और विशेषज्ञों से सम्पर्क साधा गया।

इस अध्ययन में सबसे पहले नशीले पदार्थों और इन की तस्करी से सम्बन्धित बुनियादी अवधारणाओं को स्पष्ट किया गया है और तदुपरान्त विस्तृत विषयपरक साहित्य समीक्षा प्रस्तुत की गई है। इस अध्ययन के प्रमुख उद्देश्यों को ध्यान में रखते हुए, मादक पदार्थ तस्करी और तस्करी की कार्यप्रणाली में नवीन प्रवृत्तियों पर विशेष रूप से चर्चा की गई है। इस विषय क्षेत्र से संबंधित नौ केस अध्ययन संचालित किये गये। तिहाड़ जेल, नई दिल्ली में मादक पदार्थ तस्करी के जुर्म में सजा काट रहे कैदियों से शोधकर्ता द्वारा इसके लिए सूचनाएँ प्राप्त की गई।

इस अध्ययन में नशीले पदार्थ तस्करी के सामाजिक-आर्थिक एवं जनांकिकीय पूर्ववृत्त का विश्लेषण भी किया गया है। नशीले पदार्थ तस्करी के विविध पक्षों पर विविध सामाजिक-आर्थिक एवं जनांकिकीय चरों के प्रभाव के निर्धारण के लिए कार्डी-स्क्वायर जाँच, इंडिपेंडेंट जाँच तथा वन-वे अनोवा जाँच का प्रयोग किया गया है। इस अध्ययन से यह पता चला है कि, पढ़े-लिखे तस्करी में अपराध करने का पछतावा कम होता है और कि, सुदृढ़ आर्थिक पृष्ठभूमि वाले तस्करी के नशीले पदार्थों की तस्करी में पुनः प्रवृत्त होने की संभावना अधिक होती है।

चूँकि, जाँच करने वाले कार्मिकों का सामना इन मामलों से सबसे पहले होता है, इसलिए ऐसे अपराधों से निपटने के लिए उनकी तैयारी का विश्लेषण किया गया जिससे यह पता लगा कि नशीले पदार्थों के खतरे से जूझने के लिए जाँच-कर्मी न तो पूरी तरह से तैयार हैं और न ही पूरी तरह लैस हैं। पुलिस की तैयारी से संबंधित

मूलभूत तत्वों का निर्धारण करने के लिए 'एक्सप्लोरेटरी फैक्टर एनालिसिस' तथा 'कॉन्फर्मेटरी फैक्टर एनालिसिस' जैसी तकनीकों का प्रयोग किया गया है। साक्षात्कारों की सहायता से, शासकीय वैधानिक नीति अर्थात् एन डी पी एस ऐक्ट 1985 का समालोचनात्मक विश्लेषण किया गया जिससे कार्य-विधि तथा जाँच-कार्य सम्बन्धी अनेक कमियाँ उजागर हुई हैं। इसके साथ ही, साक्षात्कारों की सहायता से, नशीले पदार्थों के मामलों से निपटने में जाँच अधिकारियों के समक्ष आने वाली समस्याओं पर भी विस्तृत चर्चा की गई है।

इस अध्ययन का समापन करते हुए, प्रत्येक सूत्रबद्ध उद्देश्य के लिए एक निष्कर्ष का निरूपण किया गया है। जब तक विशिष्ट वैधानिक तथा अधिशासी हस्ताक्षरों के द्वारा इस खतरे को नियंत्रित करने के लिए युद्ध-स्तरीय प्रयास नहीं किये जाते, तब तक नशीले पदार्थों की तस्करी का खतरा निकट भविष्य में हमारे देश की सामाजिक, आर्थिक एवं राजनीतिक व्यवस्था के ऊपर एक विकट संकट के रूप में मण्डराता रहेगा। इस शोध कार्य के अन्त में कुछ सुझाव दिये गए हैं जिनका सम्बन्ध, कुछ सीमा तक, नशीले पदार्थों से होने वाली तबाही को नियंत्रित करने की सोच से है।

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