

## BALANCING ACT: AN ANALYSIS OF INDIA'S NATIONAL NARCOTIC POLICY

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### ABSTRACT

*The article attempts an analysis of The National Narcotic Policy 2012 of the Government of India. The policy implications are wide and all encompassing. While adherence to international conventions has been a benchmark of sorts, it remains to be seen how justified is the present policy in tackling the growing menace of addiction, incidence of narco-terror links and most intriguing of all, the clamor for legalization of poppy cultivation by a section of farmers in Maharashtra and Punjab, the latter witnessing the worst drug scenario in the country with alarming number of Injecting Drug Users (IDU's) facing the risk of HIV infection. Equally volatile situation persists in the north eastern part where states like Manipur and Nagaland have reported high drug users and HIV infections. Although a traditional licit cultivating country, only farmers at Neemuch (Madhya Pradesh) and Ghazipur (Uttar Pradesh) have legal sanction under stringent licensing to cultivate poppy. What exacerbates apprehensions is India's location-sandwiched as it is, between the world's notorious narcotic zones-the Golden Crescent and the Golden Triangle. Increasing evidence of insurgent-drug links has further exacerbated apprehensions over the drug dependence treatment and preventive strategies outlined in the policy.*

**Keywords:** Narcotic Policy 2012, India, Opium, Illicit, Licit, Drug Abuse, Health,

### INTRODUCTION

In January 2012, the Government of India released the India National Policy on Narcotic Drugs and Psychotropic Substances 2012, aimed as a multidimensional policy at addressing fiscal concerns, public health and safety issues. Much in keeping with the contemporary drug control policies, the present policy is aimed at enforcing a multi-pronged strategy to deal with the growing incidence of drug abuse while also streamlining the production and processing of licit narcotics and focusing on demand-supply reduction of illicit drugs. The Narcotics Policy declaration comes in wake of mounting international pressure particularly from the United Nations Office on Drugs and Crime (UNODC) to adopt a 'balanced approach' as regards drug availability and regulation. India is a signatory to all the three International Conventions, the UN Single Convention on Drugs 1961, Convention on Psychotropic Substances 1971 and the UN Convention against Illicit Trafficking in Narcotic Drugs and Psychotropic Substances, 1988. This article attempts an evaluation of the major policy initiatives embarked upon. It will particularly focus on the decision to open up opium processing to private sector in context of issues of drug trafficking, security and development. The article proposes to analyse both policy prospects and ramifications for the Indian state considering the existing narco-terror links and burgeoning rates of addiction to newer and more potent form of substance of abuse. More so, particularly in north eastern part of the country where the nexus between illicit drug trafficking and insurgency have destabilised and retarded the development prospects of the region.

**‘Liberalizing’ the ‘Monopoly’ of Opium Processing: Prospects and Concerns-**

In a major shift, the new policy dismantles the monopoly of opium processing that had ever since been the preserve of the government. The policy recommends the production of Concentrate of Poppy Straw <sup>40</sup>(CPS) (NDPS (Amendment) Act 2001) in India by a company or body corporate, <sup>41</sup>which until now was the domain of the Government Opium and Alkaloid Factories at Neemuch (Madhya Pradesh) and Ghazipur (Uttar Pradesh). Till date, India is the sole licit supplier of raw opium in the world market. As per provisions under the new policy, the private sector would be allowed up to 49 % stake in a joint sector company and the government will hold the majority stake of 51%. This ‘liberalization’ of opium processing sector, it is expected, would not only revitalize the loss making government opium processing plants (Indian Express, 2010)<sup>42</sup> but also help retain India’s status as the traditional supplier, reduce the dependence on codeine imports which have followed in the wake of reduced production,<sup>43</sup> thereby save foreign exchequer and generate funds. The decision to open up the opium-processing sector to private players was made way back in November 2003, although an earlier move in 1994 had not elicited a positive response from the pharmaceutical concerns.<sup>44</sup> In 2006, in an Expression of Interest (EOI) by the Department of Revenue, it was decided to set up two units through private participation to process 100 tonnes of opium annually by each unit. In 2011, the finance ministry had received bids from four multinationals, the first time ever opening up the sector to foreign players on contract farming. The firms which include Johnson Mathey Macferlon Smith of UK, Alcalibre of Spain, TPI Enterprises of Australia (tie-up with Ruan Pharma) and Alkaloids of Hungary along with Sun Pharma, have bid to set up opium processing plants in India. In 2008, following cabinet approval to allow private participation in opium, two of India’s leading pharmaceutical companies, Hyderabad based Dr. Reddy’s and Mumbai based Piramal Healthcare (which has plans to tie-up with a US based firm for technological input) have been allotted permission to set up opium processing plants. Piramal has set up a facility at Baddi in Himachal Pradesh.<sup>45</sup> Himachal Pradesh has been regarded as the hub of drug manufacturing hub in the country, catering to around 30% demand in the domestic market (Times of India, 2012)<sup>46</sup>

The Government also plans to allot an estimated 5000 acres of land for cultivation of opium.<sup>47</sup> This would amount to an increase of 2023.42 hectares of land allotted for poppy cultivation to private interests in addition to a total of 23245 hectares of land under licit cultivation in the three states of Rajasthan, Madhya Pradesh and Uttar Pradesh. The company that wins the bid will be allowed to identify land and farmers and enter into agreements with them subject to licenses issued by the Central Board of Narcotics (CBN).

1. As per NDPS (Amendment) Act 2001, poppy straw is the husk left after the opium is extracted from the pods. It is classified as one of the narcotic drugs under the NDPS Act, 1985 and its possession, sale and purchase is strictly regulated.
2. Press Release (2012) Press Information Bureau, Government of India.
3. The two Governments owned factories at Neemuch (Madhya Pradesh) and Ghazipur (Uttar Pradesh) are reported to be ‘sick’ companies with no profits. In 2009-10, it had generated revenue of `298.56crores. Indian Express, 18 November 2010.
4. Codeine, an alkaloid of opium is one of the most sought after by Indian pharmaceutical companies. However, the state run opium processing enterprises were unable to cater to the increasing demand of pharmaceutical companies. India had been forced to import about 30 tonnes of codeine annually. *Business Standard*. 2 July 2009.
5. The stringent provisions, procedures and penalties arising out of the National Drugs and Psychotropic Substances Act 1985, relating to procurement and use of alkaloids of opium even for medical requirements had made pharmaceutical companies apprehensive.
6. In 2010, illicit poppy cultivation was reported on around 532.72 acres up from 432.43 acres in 2008. The districts affected are Kullu, Kangra, Mandi, Simla, Chamba and Simaur.
7. Himachal Pradesh has recently cancelled licenses of 16 units in the state, following detection of anomalies by the Directorate of Revenue Intelligence. *Times of India*. January 29, 2012
8. This will be in addition to the farming of poppy seeds by farmers who have licenses in areas where licit cultivation is allowed. 60,787 licenses were issued to farmers in 2009-10 up from 44,821 licensed farmers in 2008-09.

With around 2.4 million people afflicted with cancer in India and requiring opioids for pain relief; this would greatly facilitate and ease the supply of morphine that forms the mainstay of cancer pain management.<sup>48</sup> (Joranson et al, 2002). It is expected that private players would facilitate the production of opium and its derivatives to cater to the increasing demand for medical and scientific purposes in the international market. The Government policy also stems from the imperatives of retaining its traditional status which is facing stiff competition in the international market from Australia, Spain, France and Turkey including a few central Asian and Middle East countries including Iran. The International Narcotics Control Bureau Strategy Report 2011 reveals wide fluctuations in exports from India that it reported declined to around 360 tonnes (40 tonnes in morphine equivalent in 2009.) The increasing pressure from US pharmaceutical companies for review of the '80/20' rule dating back to Resolution 471 adopted by United Nations Economic and Social Council (ECOSOC) in 1981, is also a cause of concern. The resolution had stipulated that Narcotic Raw Material (NRM) could be imported only from 'traditional suppliers'; 80 % from India and Turkey, while the remaining 20 % could be imported from five countries- France, Poland, Hungary, Australia and Yugoslavia {in 2006, the Drug Enforcement Administration (DEA) replaced Yugoslavia with Spain}(Mansfield,2001)<sup>49</sup>

### POTENTIAL 'RISK ENVIRONMENT'

Despite strong anti-narcotic laws, the Narcotic Drugs and Psychotropic Substances Act (NDPS) Act 1985<sup>50</sup>, as amended in 2001 and the Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act, 1988 (PIT NDPS) Act, massive illicit diversions of licit opium is causing anxiety to the enforcement agencies including the CBN (Central Board of Narcotics) and the NCB (Narcotics Control Board). A recent study has highlighted large scale illicit diversions conferring on India the third largest illicit producer after Afghanistan and Burma.(Paoli, Greenfield, Charles' Reuter<sup>2009</sup>)<sup>51</sup> though official Indian estimate figures suggest roughly 10% of licit opium production diverted for illicit heroin production.<sup>52</sup> Apart, revelations of the 2011 UN report on the global drug scenario, raises concern over the spread of illicit poppy cultivation in India along with increasing incidence of the abuse of pharmaceutical and synthetic drugs.

Although Afghan opium production and trafficking still remains a global problem, the resurgence of opium production in Myanmar certainly does not augur well for countries bordering it. Since 2009, opium cultivation has reported consistent increase in the Golden Triangle, by 47% in Myanmar and 19% in Laos with rising demand in Laos and political instability in Myanmar facilitating the upsurge (ThaiIndian News, 2009).<sup>53</sup> Myanmar's share in the global opium production was up from 5% to 12% between 2007 and 2010 with

9. The Government of India had been under international pressure with the International Narcotics Control Board(INCB) and World Health Organisation(WHO) expressing concerns in early 1994 on medical unavailability of morphine for palliative pain relief. Two meetings were convened in 1994 and 1995 that were sponsored by the Ministry and the WHO in New Delhi to review policies governing availability of opioids in the class of morphine and to adopt the principle of 'balance' of international narcotics policy which 'which recognises that the governments have an obligation not only to prevent abuse, trafficking and diversion of narcotic drugs, but also to ensure their adequate availability for medical and scientific purposes.' Joranson, E.David and Rajagopal, M.R and Gilson, M.Aaron. 'Improving Access to Opioid Analgesics for Palliative Care in India.' *Journal of Pain and Symptom Management*. 2002; 24(2):152-159.
10. Mansfield, David (2001) "An analysis of licit poppy cultivation: India and Turkey." Accessed from url: [www.afghanistan.um.dk/.../Mansfield2001LicitcultivationIndiaTurkey](http://www.afghanistan.um.dk/.../Mansfield2001LicitcultivationIndiaTurkey).
11. Prior to the enactment of the Narcotic Drugs and Psychotropic Substances Act 1985, the statutory control over narcotic drugs was exercised in India through a number of Central and State enactments. The principal Central Acts were (a) the Opium Act, 1857 (b) Opium Act, 1878 and (c) the Dangerous Drugs Act, 1930.
12. Paoli L, Greenfield VA, Charles M, Reuter P. (2009) 'The global diversion of pharmaceutical drugs. India: the third largest illicit opium producer.' *Addiction*, 104(3), 347-54.
13. The Hindu, March 4, 2011.
14. 'Opium Cultivation on the rise in the Golden Triangle.' (2009) *Thaindian News*, Dec 14

increase in opium production up by 250 tonnes from 330 tonnes in 2009 to 580 tonnes in 2011. Around 95% of the opium in Myanmar is grown in the Shan states where poppy cultivation is a lucrative source of revenue apart from being a stimulant; it fuels the economy of the entire region, which is caught in the throes of poverty, political turmoil and high degree of corruption. This, coupled with the spread of illicit opium cultivation in India after a period of ebb will only serve to expand the ever-widening drug market.

### **The 'Asia Drug Threat': Compounding Threat Perception:**

What further augments the threat perception are reports of a 'new drug surge in Asia', as expressed by a 2011 UNODC report. This comes in wake of Afghanistan which is under increasing international scrutiny. Drug trafficking gangs appear to have moved to the 'most logical country in this region of Asia- Burma,' which has set alarm bells ringing in the north-eastern states of Manipur, Mizoram and Nagaland sharing common border with Myanmar. The shift in the nature and pattern of drug use has undergone a shift from traditional to derivative and also synthetic drugs. (Kumar, 2002). The drug in context whose use has assumed menacing proportions in South and south east Asia are the rising trend of production, consumption and trafficking of synthetic drugs, that of 'amphetamine type stimulants' (ATS), which include amphetamines and methamphetamines. Significant seizures of 'crystalline amphetamine' in parts of East and South-East Asia indicate the seismic shift in the countries of South East Asia, with estimated 50 -80% of estimated total number of ATS users in the whole of Asia. The Global SMART program of UNODC highlights the vulnerability of the countries of South East Asia, including India, Bangladesh, Nepal and Sri Lanka, to transnational organized trafficking gangs involved in the illicit manufacture and trafficking of ATS. It is the ease with which ATS can be manufactured with chemicals that are used in pharmaceutical, dyes and textile industries that makes it highly potent. Hence, the curbing of illicit routing of ephedrine, pseudoephedrine and acetic anhydride, also known as 'precursor chemicals' used in the manufacture of heroin and methaqualone is now the biggest challenge before the enforcement agencies. India is touted as the biggest producer of clandestine Methaqualone (also referred to as Mandrax) which is in great demand in South American and the African countries. Although most of the precursors are mainly diverted to feed the ATS manufacturing units in neighboring Myanmar, clandestine ATS manufacturing units have been unearthed at India, Bangladesh and Sri Lanka, contributing to proliferation of drug use and users in the region. In June 2011, NCB officials in Manipur seized large quantities of ephedrine, around 12, 15,800 tablets meant to be smuggled into Myanmar. A Report on 'Situation Assessment on Amphetamine type Stimulants'(UNODC 2010) has expressed its concern over significant increase of amphetamines while posing increasing threat to the security of the entire South East Asian region. The increased dependence on North-eastern states follows increased patrolling by the Border Security Force along the Nepal border, which earlier used to serve as conduit routes for ganja and opium into east and central UP. Heroin manufactured in Myanmar also finds its way into Bangladesh through Mizoram, which shares international border with Bangladesh, via the Falam-Lungbun-Saitha-Bangladesh route. There have also been reports of heroin being poured into Bangladesh through the Arakan states and thence into India.

### **Upsurge in Illicit Cultivation: Drug-Terror Conundrum in India**

Cornell (2005) rightly argues about the economic incentives that facilitate interaction between narcotics and conflict by explaining the 'specific dynamics' of the drug trade which 'enables insurgents to increase their capabilities and challenges they pose to states' and also

affecting the 'motivational structures of insurgent groups.'<sup>54</sup> Equally significant is his assertion that crime-rebellion nexus is easily facilitated by the presence of a tradition of drug cultivation. In India, Bengal, Bihar and the Malwa region have been traditional poppy growing areas.<sup>55</sup> The Maoist involvement in illicit poppy production and trade lends credence to the theory of strong linkages between armed conflicts and drug production. The Maoist involvement in drug production particularly increased after a crackdown on its bid to raise funds through extortion. In 2008, the then Director General of Economic Intelligence Bureau (DGCEIB) had called for effective state intervention to check the spread of illicit poppy as Maoist involvement in the production and trade was being investigated in the states of West Bengal, Bihar, Jharkhand and Orissa. The Justice PK Mohanty Commission which submitted its report in 2008 remarked at the Maoist protection and patronage to cannabis and poppy cultivators, active in the hilly and inaccessible parts of Malkangiri, Gajapati, Ganjam and Bargarh. Similar apprehension at narco-terror links were expressed by the Organized Crime Cell of Jharkhand Police. The Maoist influence and activities has been on the increase since 2010. With logistic support from the Narcotics Control Bureau, the police claims to have destroyed 208 acres in the Latehar, Hazaribagh, Chatra, Khunti, Bokaro, Dhanbad, Palamu, Ranchi and Lohardaga Districts of Jharkhand state. "The drug lords of this area earn at least Rs 200 crore a year from poppy cultivation. Like the Colombian terrorist outfit FARC, the Maoists are trying to control the drug lords for funding as it can bring a huge amount of money,' remarked an investigating officer, which further augments concern at what could possibly escalate into a major law and order crisis in the entire region affected by the Maoist insurgency(Times of India,2011).<sup>56</sup>

Local cultivation of illicit poppy has been reported in ten states of India, including Jammu Kashmir, Himachal Pradesh, Bihar, Jharkhand, West Bengal, Orissa, Karnataka, Arunachal Pradesh, Manipur and Assam and Maharashtra in recent times.<sup>76</sup> 20.5 acres of illicit poppy cultivation was detected in 2009-10 up from 5532 acres detected in 2008-09 and 1820 acres in 2007-08(Tehelka,2011).<sup>57</sup> Reports of concentrated resin being smuggled into Bangladesh from the porous borders of Malda and Murshidabad in West Bengal where large scale illicit cultivation of poppy has been unearthed, which are usually concealed within sugarcane, wheat and mustard plantations. In recent years, West Bengal has reported large increase in opium cultivation, which is being trafficked into Jharkhand and Bangladesh (Voice of Malda, 2011).<sup>58</sup> Excise Department in Malda district of West Bengal recently destroyed poppy seeds worth 3.292 crores while illicit cultivation thrives Kaliachak-II and III blocks, Manikchak, Ratna, Chanchal, Bamangola, Harishchandrapur and parts of English bazaar which is then shipped into Bangladesh. The porous Indo-Bangladesh border at Jalangi with scant security arrangements facilitates the free flow of morphine via this route to be converted into heroine, a sizeable quantity of which is then shipped back into India.

The Northeast has already been a witness and victim to the terrible scourge that the nexus of drug trafficking and militancy has brought in its trail. Although poppy cultivation in India has had strong traditional and historical antecedents, it is the recent trends in the shift from cannabis to poppy cultivation in states of north east that border the Golden Triangle region that has perplexed the enforcement authorities. Most of the opium is bound for Myanmar and thence onwards to America, European and African destinations As per a 2011 Narcotic Control Bureau report, in Arunachal Pradesh around 900 acres of land in the districts of

15. Cornell.E.Svante. (2005) "The Interaction of Narcotics and Conflict", Journal of Peace Research, 42(6), pp. 751-760.

16. Excise revenue, chiefly accruing from trade in importing opium for foreign as well as domestic consumption had formed the mainstay of British Empire.

17. 'Maoist menace: Revolution feeds on drug money,'(2011), Times of India,15 February

18. 'Hurricane Heroin,' (2011),Tehelka, 30 September

19. 'Drive against illicit opium cultivation', (2011), Voice of Malda,February 6



Lohit, Tirap, Anjaw, Upper Siang and Chanlang; in Manipur an estimated 904 acres of land, comprising the districts of Churachandpur, Chandel, Tamenglong, Nongmaiching (Baruni Hill Range), Senapati and Ukhrul districts. Ukhrul and Senapati including Imphal East districts are also known for producing high quality cannabis (ganja) cultivation, with a huge market in Bihar, UP, Nepal and the Western countries. Poppy has to a large extent replaced Cannabis (ganja) cultivation in Manipur, with aggressive poppy destruction campaign underway in Manipur. Narcotics Control Bureau investigations revealed that close proximity to the heroin processing laboratories in the Golden Triangle region has fuelled poppy cultivation in the state, is referred to as 'Tiger' and 'Cobra.' Of late, the lure of the 'Golden Crop' has enticed the peasants of the *char* areas (sandbars) of Assam in Barpeta and Darrang (The Telegraph, 2010)<sup>59</sup> including the valleys of Kashijan, Khunjan and Shanjan of Tinsukia, bordering Arunachal Pradesh. Scattered poppy cultivation has also been reported from Lunglei (Mizoram). The geographic proximity of the north eastern part Indian subcontinent to a major opium-producing region, the town of Sop Ruak at the Lao-Myanmar-Thailand border informally known as the Golden Triangle, now also referred to as the Golden Pentagon,<sup>60</sup> (Nepam, 2002) has been favouring movement of contraband and smugglers alike. While Lao PDR and Thailand were declared virtually 'poppy free' by UNODC in 2007, synthetic and pharmaceutical drugs seems to have overtaken opium as the 'in thing.' Stringent drug enforcement policy pursued by Thailand and China had by the mid-nineties led to reorientation of trafficking routes from North West Burma into northeast India. The 'commercial opening of north east India' around this time proved a boon for drug smugglers. The north east drug fields today cater to the many heroin-manufacturing units that are located in the vicinity of the international border with Myanmar. Manufactured heroin is then transshipped back into the region through the Bhamo-Lashio-Mandalay routes to North East India and thence onwards to Delhi and Mumbai. Recent Narcotics Control Bureau reports point to organized criminal gangs operating in Assam, with quantities of pod being smuggled through the porous Indo-Myanmar border further on to Myanmar, Thailand and Laos, for the manufacture of heroin. A recent report also highlighted Guwahati as a transit point, with the anti-narcotic cell of Criminal Investigation Department of the Assam Police, reporting seizures worth 1,16,050 kgs worth of ganja and 252 kg of heroine. Smugglers have been using two routes for transporting the contraband from Myanmar into Manipur and thence into Guwahati. Apart from the three major drugs trafficking routes running through from Myanmar into northeast states of Manipur, Nagaland and Aizwal (Times of India, 2011)<sup>61</sup>

What exacerbates concern is the drug mafia-police/politician nexus. While not much information on these flows into public domain, the extradition from Peru last year of the Goa drug kingpin of Israeli origin, Yaniv Benaim, alias Atatla's has revealed links with the son of a prominent ruling party politician that has sent the government and the law enforcement agencies in a tizzy.<sup>62</sup>

## MULTIDIMENSIONAL CHALLENGES

Despite aggressive drug enforcement efforts by the administration in these countries, a host of geographic, political and commercial factors have been catalytic in the flow of illicit drugs traffic in the region. While drug use is regarded as a 'potential gateway to HIV infection

20. 'Narcotics bureau smells poppy on Assam char,' (2010), The Telegraph, July 8

21. It includes Vietnam-Cambodia and Nagaland-Manipur (north eastern states of India). In Nepam, B. (2002). *Small Arms, Narcotics and Cross-Border Terrorism in South Asia*, New Delhi: Mittal Publications. 41.

22. 'Guwahati turns transit point for smugglers.' (2011), Times of India, May. 25

23. 'This druglord may expose many bigwigs in Goa.' (2011), Rediff News, August 31

(Kumar et.al.2005),<sup>63</sup> harm reduction<sup>64</sup> as a public health approach is yet to gain official acceptance in the country. Punitive sanctions continue to accentuate the 'risk environment' (Hortona and Dasa, 2010). Inflating figures of injecting drug users (IDU) have resulted in increase in HIV, Hepatitis B and C infections.<sup>65</sup> Worst affected are the bordering states of North East, particularly Manipur, which has already witnessed the worst phase of the drug menace and AIDS scourge, still. According to a report of the National AIDS Control Organization (NACO), there are around fifty-thousand IDU (Injecting Drug Users) in North East India, with 34, 500 IDU's in Manipur.<sup>66</sup> Highly disturbing is the inflationary trend in Meghalaya, where a recent survey conducted by North-East India Drugs & Aids Care (NEIDAC) revealed a 33 percent increase in the number of drug users in the past ten years. After Manipur, it is the states of Punjab and Maharashtra that are worst affected by drug abuse. A recent research has presented a panicky percentage of around 73.5% of youth in Punjab as addicted to drugs.<sup>67</sup> Seizure of huge quantities of 'dodachura' (poppy husk) by the Narcotics Department being poured into Punjab from the states of Rajasthan and Madhya Pradesh, states where licit cultivation of opium is allowed. This cannot certainly be overlooked considering the burgeoning incidence of drug addiction in the state.<sup>68</sup> Interestingly, curbing drug addiction was highlighted as one of the agendas of the political parties' campaign in the region. In this context, it may be emphasised that although the policy provides harm reduction measures, yet it is the proper implementation that will need to be focused. While the policy clearly sets out a three-pronged strategy of treatment, rehabilitation and social re-integration, enabling policy environment in favour of harm reduction approach would serve as a major challenge. The issue lies at the core of stemming the advance of HIV and Hepatitis C infections among drug users and potential social costs associated with their treatment.

It is worthy of note that the security aspect involved in this issue cannot certainly be overlooked. The insurgent groups in the region are known to have close links with the politicians, bureaucrats and the business community. The National Investigating Agency (NIA) of India had recently uncovered massive investments of militant outfits of Manipur and Assam in real estate, shipping, textile and health sectors in Sikkim, Nepal and Bangladesh. In such a scenario, the militants routing money into the opium processing sector using fake identities and in connivance with foreign players is worth a thought. The investigating agencies already have enough evidence of nexus between militants and drug lords of northeast India and Myanmar and the money is used for procurement of arms by these groups. The case of the Maoist involvement has already been discussed elsewhere in this paper.

Taking cognizance of the need for employing technology to aid and assist enforcement and surveillance, the policy has emphasized the use of satellite imageries for detection of illicit crop. The policy lays down stringent regulatory mechanisms including the use of satellite imagery to identify pockets of illicit cultivation, yet the inaccessible hill areas of the north east where it takes days for the enforcement agencies to reach and where policing is

24. Priya, R.Kumar, Singh, Siddarth, Dorabjee, Jimmy, Varma, Sunnet and Samson, Luke.(2005), " How effective are Harm Reduction Programmes for Drug Users? Some Insights from an Evaluation of the Programme at Sharan in Delhi,"Journal of Health Management, 7(2), Sage Publications, New Delhi, London.
25. Harm Reduction refers to policies, programmes and practices that aim to reduce harm that is associated with the use of psychoactive drugs. Core components include evidence based drug treatment, including OST, enabling policy environment and access to ART (antiretroviral therapy) for HIV positive people who use drugs. Hortona Richard and Dasa, Pam. Rescuing people with HIV who use drugs. The Lancet. July 20, 2010.vol. 376.pp. 206-210.
26. A UNODC study reveals that one in every five IDU is infected with HIV and around half of all IDU with Hepatitis C.
27. "Evaluating a decade of harm reduction in Manipur and Nagaland"(2011) Drug Policy Briefing. No. 35.
28. In Manipur at an all India average, it is 28% followed by Punjab at 26%.www.aidsmap.com
29. The huge cache of drugs seized in Punjab, which were believed to be poured in to woo the voters were a) poppy husk-2,641 kgs; opium-10,820 gms, Heroine-2,461 gm, Smack -2,506 gm, Lahan-1.97 lakh kg and Ganja-1 kg. *Times of India*. January 29, 2012

practically non-existent can emerge as a major law and order challenge. The latest trends of a shift from plant based to lab based drugs as methamphetamines have emerged as a crisis for the enforcement agencies. While promoting alternate means of livelihood is being for long considered central to all programs aimed at eradication illicit cultivation, an appraisal of the needs and conditions of the regions and communities that are affected by illicit cultivation is warranted. From Colombia to Afghanistan, Burma and Laos, forced eradication of illicit crops have proved to be counterproductive (Chouvy, 2011). Early this year there, seizures of illicit poppy cultivation in a number of regions in the west Indian state of Maharashtra including demands by the farmers involved in cultivation for legalization of poppy cultivation in Maharashtra is not without implications. The demands have found support in a local but politically active peasant organization. The Narcotics Control Bureau (NCB) Zonal Director, Mr. Yashovardhan Vange, regards it as a mix of both national and international factors citing a) Increasing destruction of illicit farms in West Bengal with the help of satellite imageries b) Thailand farmers changing their crop patterns c) Lethargic attitude adopted by the parallel armies in Myanmar and d) Opium addiction in Punjab as some of the significant factors that could have resulted in a sudden spree of poppy cultivation in Maharashtra (DNA, 2012). What is intriguing is the fact that illicit poppy growth has been reported in areas which have profit yielding cane plantations. Greed not need seems to be the driving motive.<sup>69</sup>

While most of the preventive strategies as interdiction and alternative development are within the UN convention framework, a reappraisal of the national drug policy is due. More so, considering how India's prohibition oriented narcotics control regime has only compounded the threats posed by stringent punitive sanctions on drug use and user. Alternative livelihood strategies have failed in states as Arunachal Pradesh in the north eastern part of the country with over 10,000 hectares of land devoted to poppy 'cash crop' and an estimated 24,000 addicts in Lohit and Anjaw districts of Arunachal (Bhattacharji, 2009). Any policy which is divorced from realism is bound to fail. While the move to privatize the opium monopoly sector may be viewed as an attempt at initiating a health based and humane approach, the need for the state is to support expansion of evidence based health services and a policy structure based on the four pillars of law enforcement, prevention, education and harm reduction as a rational rejoinder to drug use.

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Cornell, E.S. (2005). The Interaction of Narcotics and Conflict, *Journal of Peace Research*, 42(6), pp. 751-760.

Daily News Analysis (March 1, 2012). To quote an instance, in the villages of Mohol and Wanjara of the Beed district of Maharashtra, 80 hectares of agricultural land was under illegal cultivation of poppy. Investigations revealed that the crop had been

30. To quote an instance, in the villages of Mohol and Wanjara of the Beed district of Maharashtra, 80 hectares of agricultural land was under illegal cultivation of poppy. Investigations revealed that the crop had been growing here since the last two years. One kg. of poppy pod fetches INR 8000 from the middlemen. The planted opium has been estimated at INR 1.54 crores. Daily News Analysis, March 1, 2012.

31. Bhattacharji, Romesh. (2009), "Opium Valley," *Frontline*, 26(12)



- growing here since the last two years. One kg. of poppy pod fetches INR 8000 from the middlemen. The planted opium has been estimated at INR 1.54 crores. Romesh, David, Mansfield. (2001). An analysis of licit poppy cultivation: India and Turkey. Accessed from url: [www.afghanistan.um.dk/.../Mansfield2001LicitcultivationIndiaTurkey](http://www.afghanistan.um.dk/.../Mansfield2001LicitcultivationIndiaTurkey).
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