

## Inaugural address

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Madam Ehmer, Regional Representative (UNODC), Shri Dutt (Project Coordinator), distinguished invitees and friends –

I am delighted to be present at the inaugural ceremony of this workshop organized by the United Nations Drug Office on Drugs and Crime on an issue appreciated by few but of importance to many. Drug trafficking is an activity, which is illicit, highly surreptitious, criminalized, and poses complexities in evolving prescriptions.

Drug trafficking and abuse are amongst the biggest challenges facing mankind. Most of the dangerous drugs of abuse are either synthetic or semi-synthetic and are produced through chemical processes. The chemicals required for manufacture of drugs are referred to as precursor chemicals or precursors. These chemicals, however, also have a number of legitimate industrial and other uses.

By denying illicit drug manufacturers the supply of precursor chemicals, we will be able to strike at the roots of drug production. Care, however, needs to be taken to see that the legitimate trade and use of these chemicals is not adversely affected. Precursor control laws aim to achieve this delicate balance.

India has a very large and vibrant pharmaceutical and chemical industry which produces and uses many precursor chemicals. Two of the world's largest drug producing regions are to India's east and west. Precursors are often smuggled from India to these regions. They are also used by illicit drug manufacturers within India. Thus, India has a vital role to play in containing the supply of precursors to the illicit drug manufacturers.

Precursors are controlled in India under three different laws, viz., (i) the Narcotic Drugs and Psychotropic Substances Act, 1985; (ii) the Customs Act, 1962; and (iii) the Foreign Trade (Development & Regulation) Act, 1992. Effective enforcement of these laws can go a long way in preventing diversion of precursors.

During 1980's, smuggling of acetic anhydride from India to Pakistan across Indo-Pak border was a common problem. Persistent efforts and stringent enforcement has reduced this smuggling to almost zero. However, new challenges are emerging in the field.

The first is smuggling of commercial quantities of acetic anhydride. In one

case, nine tones of acetic anhydride was smuggled from India to Dubai on the basis of forged documents and by mis-declaring the contents. The consignment was destined for Afghanistan and was sufficient to produce 3,600 Kg of heroin that is equivalent to 7 to 18 million street doses of heroin. The consignment was seized by Dubai authorities and in a follow up, officers from India's Narcotics Commissioner's office apprehended and prosecuted the persons behind the plan. The accused have recently been convicted to 10 years rigorous imprisonment.

The second is the growing problem of diversion and use of acetic anhydride to manufacture heroin within the country. Larger quantities of indigenous heroin are now reported to be available in illicit drug market.

The third is the diversion and smuggling of ephedrine and pseudoephedrine. Both these precursors are manufactured in India for use in production of cough syrups and anti-asthmatic drugs. Unscrupulous traders divert these precursors from licit trade and smuggle them to Myanmar where the drug syndicates use them to produce synthetic drugs called amphetamine type stimulants. In a single case, the Directorate of Revenue Intelligence seized over 2 tons of ephedrine, which is sufficient to produce about 5 million street doses of amphetamines. Recently, NCB seized 24 Kg of ephedrine from three Myanmarese and two Chinese nationals in Kolkata. The accused were planning to manufacture Amphetamine Type Stimulants (ATS) in Kolkata itself. This shows that foreign drug syndicates are now attempting to develop India into an illicit drug production center rather than as a mere transit country. There have also been attempts to divert precursors from international trade to other countries. All these developments point to the need of a stricter enforcement of precursor control laws.

The Narcotics Drugs and Psychotropic Substances Act, 1985, the principal drug law of the country provides for stringent punishment for offences relating to both drugs and precursors. Safeguards in the form of procedural requirements have been built into the Act to prevent misuse of the stringent provisions. Many cases are however, lost simply because of non-observance of some procedures during investigations. On the other hand, there are many practical difficulties while investigating cases. In the course of day-to-day working, judges, enforcement officers and prosecutors do not get a chance to discuss these deficiencies and difficulties in a spirit of academic freedom.

I appreciate the initiative by the UN Office on Drugs and Crime, Delhi Police and the Global Jurists' Foundation in organizing this workshop. I am sure it will increase the general awareness among judiciary, prosecutors and enforcement officers of the magnitude of the problem of diversion of precursors. This workshop is also unique in as much as it brings together enforcement officers, judiciary and prosecutors on to a common platform. It will provide a unique opportunity for them to discuss matters of mutual concern.