CHAPTER – 5

Market, Trade and Law Enforcement

5.1. Introduction:

There are numerous challenges in the study of markets and particularly of illegal drugs. In the case of the latter, the challenges are mostly inherent in the nature of the organisation of the market and the activities themselves. For instance, concealing their actions is one main objective of the players in such markets. The present chapter has three main objectives:

I. Highlight the organisation and working of a ganja market in the village where the survey was carried out;

II. Examine the different aspects of ganja trade and their implications;

III. Examine the nature of the law enforcing activities in Ukhrul district, where the survey was conducted.

5.2. Organisational Set up of a Local Ganja Market:

Market in respect of ganja involves several players and long channels of networks. Marketing begins from the sale of it by the cultivators. There are
three ways of marketing. In the first category, the cultivators sell their products within the village from their residences. In the second category, the cultivators sell their products to other villages within the district. In the third category, the cultivators market their products to other districts within the State or outside the State.

About 93 percent reported to have sold their products through the first category. In these cases, the buyer-agents\(^1\) come to the village itself and procure the products from the cultivators directly. The contact of the cultivators ends at the level of the buyer-agents who come to the village for their products; they have no knowledge of the networks under which the buyers operate. The cultivators only have direct contact with agents who come to collect the products from their homes. These intermediaries mostly belong to other villages of the same community. However, there are agents from other communities too. Few cultivators from the village also sometimes act as agents or agents’ associates\(^2\). Less than 2 percent reported to have sold their products through the second method in other villages of Ukhrul district. The remaining 5

---

\(^1\)Agents are those intermediaries who work for the higher level dealers. Their main work is to procure the products from the cultivators. They are close confidantes of the higher level dealers who are not strangers to the cultivators and the village. While the existence of the higher levels is evident, the present research is not oriented to identify these. Majority (87 percent) of these agents working in the village are from outside the village while about 13 per cent are from within the village.

\(^2\)This is in view of cultivators acting as hosts to the agents coming from outside and accompanying them to procure the product. Given the non-availability of hotels in the village, the agents require close acquaintances from the village for their stay and operations.
percent reported selling their products in other districts of the State or outside the State

So a large majority of the cultivators are not dealers and they do not engage in trafficking. Cultivators only cultivate and work in the field and their product is collected from their respective places. In this framework, the cultivators do not face the marketing problem of selling their products as these are disposed off at the level of the village itself. However, cultivators who reported to have sold their products outside the village face a greater uncertainty. This is so because the cultivators are not paid at the time of procuring the products, but are only assured the amount of the assumed higher price prevailing at the region where the products would be sold wholesale. This demands a great deal of mutual agreement and trust between the cultivators and the agents/dealers regarding any risks involved in it. The risk of arrests and product seizures constitute an important criterion of mutual contract between them. Trafficking is carried out through agents who work in between the buyers and the cultivators. Only in rare cases, the cultivators themselves involve in dropping the product at the destination place.

---

3 Details on ‘risks’ and ‘trust’ will be discussed in the later section of the chapter.

4 They are different from the buyer-agents working at the village level, and they are at a level higher than that at the village level in the network of the market. They may be referred to as ‘middle level dealers’ or ‘higher level agents’ who would be working for yet another higher level dealers in the hierarchy.
There are interesting cases where the cultivators work as procurers as well. About 7 percent of the respondents reported to have also bought the product from other cultivators in addition to cultivating ganja by themselves. They purchase the product at the time of harvesting when the product is available in plenty and ipso facto price is normally lower. This group of cultivators are those who somehow could afford to invest without engaging much physical labour but engaging in some form of hoarding; i.e. purchasing when the price of the product is low so that they could earn profit by selling when its price rises. Sometimes they pay cash in advance to the cultivators who are terribly in need of money during the period of cultivation and collect the product at the time of harvesting. This is not a practice favourable to the small scale and poor farmers as it leads to not only compromising possible higher returns but also even realising the normal returns by pre-selling their products at a much cheaper price well in advance before the harvest.

5.3. Processing of ganja:

There are no reports of ganja plant being consumed fresh and raw by the cultivators. Since the main endeavour of its production is for commercial and export purposes, the plant has to be processed in a durable way that lasts for a certain period of time. The study finds that there exists neither processing

5 The timing of the agents coming to the village for procuring is discussed later in the chapter.
6 The highest proportion of these groups fall in the highest income category.
7 The only exception is the traditional use of ganja as medicine discussed in the previous chapter.
laboratories in the village nor do the cultivators use advanced tools or machines for processing. All procedures of processing are done manually employing human labour.

5.3.1. Procedures of Processing Ganja:

Processing ganja requires going through certain steps. The first one is to cut the whole plant when it matures. This is kept in the sun for three to four days to get it withered. The plant is then cut in similar and shorter length. Mustard oil is one of the ingredients used for processing ganja. This oil is applied on it to manage the sticky resin of the flowering tops. The leaves are then thrashed moderately with a stick to remove the seeds from the leaves. After this, it is repeatedly rubbed and pressed with both hands to make it become hard and to make it stay intact. There is another method which is found easier, and more widely practised. In this method, it is wrapped with a waterproof polythene to make it air-tight, and then rolled and bound tightly with the rubber tube of used tyres. It requires to be kept in that form overnight. One bundle weighs around four to five kilograms. The size of this packet also determines the result of the product. If the size gets too big, it cannot produce the desired quality. The bundled pack is uncovered the next day after which it has to be basked in the sun for half an hour before it is rerolled again only to be unpacked the next day. After unpacking, it is left open in the sun until it gets properly dried. It takes minimum two to three sunny days for the product to get
dried. After drying, the twigs are removed so that only the leaves and the flowering tops are collected.

5.3.2. Cost of Processing:

Cost of processing here refers only to the expenses made on materials and equipments required for and used in the process of processing, like expenses made on mustard oil, used-tyre tubes, waterproof polythene, etc. Labour cost and expenses on fertilizers are not included. Cost of processing is expressed in terms of Rupees. While examining the responses from the cultivators, it is found that the cost ranges from Rs. 200 to Rs 6,000. This has been categorised in two groups: in the first category there are those households who spend Rs. 2,500 or less. Households that spend more than Rs 2,500 are in the second category. It is found that four-fifths (81 per cent) of the households fall in the first category of spending less than Rs. 2,500. A cross examination also shows that none of the households in the least income groups\(^8\) fall in the second category.

5.3.3. Processing Place:

Processing is done mostly in the cultivating field itself. This proves advantageous in terms of convenience and time-use. Processing in the field

---

\(^8\)Income category of Rs 50,000 and below (Table. 3.10)
itself saves a lot of time and energy of walking the far-distant home on foot\(^9\). Eighty percent of the respondents do the processing work only in the fields. However, those who could not afford to construct a hut in the field conduct the processing work at home and it accounts for about 12 percent. The rest 8 percent reported to have processed both in the field and at home for other conveniences\(^{10}\). There is no separate group of people who specialised in the job of processing. The cultivators themselves are the processors. However, it is found that much physical labour is required for the work and is regarded as one of the toughest stages of ganja production.

5.4. **Transportation:**

After the procedure of processing, the product has to be transported from the cultivation area to the place where it will be stored before it is disposed off for sale. Seventy percent use only human labour for such transportation whereas 22 percent use both human labour and animal labour. Use of human labour in cultivation, processing and transportation indicates the human labour intensiveness of ganja production. Only about 6 percent use automobile for its transportation. Percentage distribution of means of transportation is shown in Figure 5.2.

---

\(^9\) In the absence of modern roads, footpaths in the mountainous terrain are the only amenities available for travelling. Besides, the cultivation fields lie far away from home.

\(^{10}\) This could be due to the obligations of carrying out unavoidable domestic works or may be related with taking care of children at home at the same time that makes them difficult to leave home.
5.5. Product Wastage:

More than half of the respondents (56.4 percent) reported to have experienced their products being wasted. The main reason is due to improper storing system. A small portion of the products are destroyed by natural calamities and some are eaten up by rodents. Due to inferior quality of the product, there are times when few buyers refuse to buy some of the cultivators’ products. But there is never a situation where they could not sell off their product within the year. Despite variation in quality, with some flexibility in price, the total production of its product can be easily disposed off for sale.
None of the cultivators reported to have tried diluting the product for more profit\textsuperscript{11}.

5.6. Storage:

Cultivators are vulnerable to certain risks including health risks. After the product is being processed, it has to be stored for a period of time before they could be exposed for sale. Figure 5.3 shows the percentage distribution of the households according to storing place of ganja.

\textbf{Figure 5.2}

\begin{figure}[h]
\centering
\includegraphics[width=\textwidth]{storing_place_ganja.png}
\caption{Storing Place of Ganja Products}
\end{figure}

Source: \textit{Personal Survey}

\textsuperscript{11} Quality control or a la corporate social responsibility (CSR).
Only around 27 percent households have a separate storing place for ganja. While more than one-third of cultivators use kitchen as the storing place, another one-third keep it in their bedrooms, whereas more than 4 percent use granary for storing ganja along with paddy. The use of kitchen, bedrooms, and granary poses certain health risks as the product possesses strong odour and has a high tendency of being misused. There are reports of incidents where ganja is mistakenly cooked and consumed along with food, causing many unpleasant consequences.

5.7. Distribution of Profits from Ganja Production:\footnote{The views given here may give a rough picture of the nature of profit distribution of ganja trade among different groups. While, it is assumed that this could be close to reality, it is not an attempt to show the absolute figures of profit distribution from ganja cultivation and trade.}

The gains of ganja production are understood to be shared among different groups and participants at different levels of the system. However, it is hard to determine accurately the share and distribution of profits from ganja due to the nature of its illegality. The statement given here takes into account only the opinion of the respondents to the query as to who gets the lion’s share of the trade. More than 55 percent of the respondents are of the opinion that those in the higher levels in the hierarchy of network of dealers corner the largest share of the returns from its trade. Majority of this group of respondents belong to the households producing the lowest volume of production. One of the cultivators remarked: ‘what we (cultivators) get is just a fraction; the real big ganja
money goes to the pockets of the higher dealers. The higher the level of dealers, the higher must be the earnings. They are the ones who control the network after all”. Very significantly, about 22 percent of the respondents think that law enforcers get the highest share from ganja trade. These respondents are of the opinion that the latter are corrupted and crazy after money. They come to seize the product, arrest cultivators or traffickers under the presumed cover of the law. However, these exercises, according to the cultivators, are only pretentious legal moves while the ultimate objective is to seek rents from the entire exercise. It is a case of where “Heads I win and tails you lose”. There are cases where the law enforcers got for nabbing the cultivators, agents and products in order to earn official monetary rewards for their action. One of the respondents freely accuses them of being money-mongers saying: “they come to raid us whenever they want money because that is exactly what they get from ganja cultivation”.

Another 10 percent think that the middlemen are the ones who benefit most from the business as they do not have to work very hard unlike the cultivators: their only job being to procure the products from the cultivators for the higher dealers. Around 9 percent are not sure as to who benefits the most. Some say it depends on luck as the business is endowed with so many risks. They are of the opinion that, among all the participants, those who do not get
caught or arrested or betrayed enjoy the profit. Few others think that the one who can afford to take the highest risks gets rewarded accordingly.

There are some respondents who provide unique responses. About 4 percent of the respondents feel that cultivators themselves earn the highest share from cultivation and trade. The reason behind their response is that ganja assures higher price than other agricultural crops. It is also significant to find that the reason for engagement in ganja cultivation of all respondents in this group is for investing on education of their children or siblings. The benefit may have been interpreted in the form of strengthening the human capital of the family members.

5.8. **Price and Demand:**

Generally the price of any illegal good is hard to determine. Determination of price of ganja is no exception. While the cultivators dispose of their products to the agents who come and collect the products from the village itself, there is an issue when it comes to valuing the products. The price of the product disposed at the village to the various agents happens to be much lower than that sold anywhere else. In the local experience, price is lower at the time of harvesting than any other period most of the years, and it keeps rising

---

13 Other commodities have no marginal market value due to very poor road connectivity, high transportation costs and no easy market access facility as discussed in section 4.2 of the previous chapter.
till the year ends. However, it fluctuates from time to time depending on the demand and factors affecting demand. It is found that there exist severe price fluctuations\textsuperscript{14}. The lowest reported sold price is Rs 150 per kilogram, and it rises to the extent of Rs 800 per kilogram depending upon the prevailing milieu at any point of time. Different rates exist in between the two extremes. However, it is found that majority of the cultivators sell their products at a price ranging from Rs 300 to Rs 400. Storing time has an effect on its price. If the product is stored for more than a year, it carries lower price than the one produced in the same year. On the other hand, demand seems to be influenced more by other external forces other than price. The visit of the agents is non-specified and uncertain. One interesting fact is the observed association between the democratic cycle and level of demand; it is found that that demand is said to be always high in the year of elections. The main advantage could be the freer flow of vehicles on the pretext of campaigning for elections. Vehicles with party flags are less likely to be stopped and checked by law enforcers or in check posts. This makes it easier for traffickers to traffic in such times.

5.9. **Ganja Cultivators Organisation:**

There exists a separate organisation for ganja growers in the local level. The organisation has eight executive members as office bearers. This has been

\textsuperscript{14} This may be due to the unpredictable demand forces and not due to differentials in quality as production of ganja in the village bears more or less similar quality.
in existence for more than a decade. The chairman is elected through consensus of its members. The set up of the organisations seems not so structured. There is no fixed tenure for office bearers. The union formed informally is mainly to unite together for the smooth running of the business and to do collective bargaining with law enforcers or any group that bothers their trade. It thus provides security to the cultivators to some extent. Each member pays annual subscription to the union either in cash or in kind, i.e. ganja. But the subscription is found to be not uniform. About 78 percent pay Rs. 100 per annum, 22 percent pays either Rs.150 or Rs. 200. And those that pays in kind pays in between 1 to 4 kilograms of ganja annually. The non-uniformity of subscription payment depends on the mutual understanding or responsibility of the cultivators relating to their level of production. The subscription is more or less voluntary but all members reported to have paid it without any default. This is an indication that every ganja grower is a willing member of the organisation. Collection of the yearly subscription and management of the fund rests with the office bearers. Other than being a member of the union in the local level, no one is affiliated with other higher level unions.

5.10. Risks:

Cultivation and trade of cannabis involves a series of risks at various stages of its operations. Risks reported to have been endured by the cultivators have been classified mainly into six categories. They are:
I. Risks of apprehension and incarceration;

II. Health risks;

III. Morality risks (risks of receiving a curse from God);

IV. Risks of bad monsoon and poor harvesting;

V. Risks of not being able to sell; and

VI. Zero risks.

The study shows that the greatest risk felt by the highest proportion of the cultivators (58 percent) is the risks of getting caught, product seized, arrested and jailed. The thought of getting caught and its consequences remain the main threat, particularly for those who wholly depend on ganja cultivation for the sustenance of the family. Neither the organisation nor the higher dealers has anything to do with the risks of the cultivators in the village level and district level. Cultivation, trade and trafficking takes place at their own risks. However, when the products are trafficked out of the State, the traffickers’ expenses or risks are mostly taken care of by the higher dealers. For example, when a trafficker working for a higher level dealer gets caught or when the products are seized, the expenses of such misfortune are being borne by the higher level dealers in many cases. This however depends on the contract they have among them\(^\text{15}\).

---
\(^\text{15}\) This demands a great deal of loyalty among them. It also constitutes an element of the long term relationship between higher level dealers and lower level dealers which could be one of the
Another peculiar risk endured by the cultivators as the greatest risks is the risks of getting a curse from God. These groups are among those who have moral obligation against cultivation and trade of ganja. Thirty percent of these groups take cultivation and trade of an illegal good as very sinful and thus the risk of receiving the wrath of God stands very high to them. One of the women cultivators lamented: “I am really terrified when I think of God’s curse for cultivating ganja. May God have mercy on us and spare us from the wrath”. Trading off involvement in ganja production even with the convergence against the will of their beliefs is one of the pathetic scenes of the ganja cultivators.

Health risk is another important aspect of concern for the cultivators. Nearly two thirds of the respondents admitted that they notice health complications during the time of cultivation and processing of ganja and which they were not aware of before. The reported health complications are mostly related to reduced-eyesight, fatigue, degrading memory power, etc. However, many of them claimed that these complications are temporary and they do not cause permanent impairment as the complications go away during the off-cultivation season. Nevertheless, about 9 percent term the risks of adversely affecting health as the greatest risk of engaging in its cultivation.

characteristics of illicit drug markets; Cf. Manolis Galenianos, Rosalie Liccardo Pacula and Nicola Perciso, " A Search-Theoretic Model of the Retail Market for Illicit Drug "NBER Working Paper No. 14980. (2009); "Fifty percent of the cultivators have moral obligation against cultivation of ganja” as discussed in the previous chapter.
Only 1 percent takes bad monsoon and poor harvesting as the greatest risk that they face in this endeavour. Less than 4 percent fear that the greatest risk is the risks of not being able to sell their product due to certain circumstances. Notably, there is not a single respondent who reported not to have been able to sell their products. However, the worry of the consequences, in case the products are not sold off, could have contributed to consider that as the risk they fear most. Considerably, these respondents’ main reasons for engaging in ganja cultivation are to purchase food items and to bear educational expenses of the household17.

There is another interesting group (15.5 percent) who thinks that cultivation of ganja involves no risk at all. For them, there is no such risk as feared and anticipated by the general people. Other than the physical labour that they endure, they find no other inconvenient risks. Significantly, about 70 percent of this group have educational qualifications up to high school level and beyond and only one respondent is illiterate18. No significant variation in the proportion of these respondents is seen in the different categories of income and volume of production19. Unlike other low-priced agricultural goods, any volume of ganja can be easily disposed off for sale with higher returns and

17The main drives of respondents’ engagement in ganja cultivation and their justifications for it as reflected in their expenditure composition is shown in figure 4.3 of chapter 4
18 For classification of educational standard of the respondents, refer section 3.6 of chapter 3
19Refer Table 3.10 of chapter 3 for income classification and Table 4.3 of chapter 4 for classification of level of production
without much hindrance from any group. So for this group of respondents, the risk of marketing too has been totally dismissed. This makes them feel ganja production as a risk-free engagement\(^{20}\). However it is found that about 60 percent of these respondents are in the category who have cultivated for the least number of years, i.e., 10 years and below\(^{21}\). This could be regarded as an indication of the change in the attitude of the cultivators towards the system of law enforcement policies of the state\(^{22}\). The percentage distribution of perceived risks endured by the ganja cultivators is shown in Table 5.1 and Figure 5.4.

[Table 5.1 and Figure 5.4 about here]

On further investigation as to why some section of cultivators could come up with a bold claim that they face no risks at all regarding ganja related activities, the responses have been quite convincing. Facing no threat even from the law enforcing agencies either undermines the latter’s efficiency or it explains the twisted system of the law enforcement agencies.

---

\(^{20}\) Extension of the discussion on why some cultivators feel cultivating ganja involves no risks is given in the following section.

\(^{21}\) Years of cultivation is shown in Table 4.2 of chapter 4.

\(^{22}\) It gives a picture of how the law enforcing agencies are being seen by the cultivators. The system of law enforcement seems to have become more manageable and comfortable for the cultivators in the present decade than in the earlier decades. More will be understood from the following sections.
Table 5.1

Percentage Distribution of Perceived Risks Endured by Ganja Cultivators

<table>
<thead>
<tr>
<th>Category</th>
<th>Perceived Risks</th>
<th>Number</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>I</td>
<td>Risk of Not Being Able to Sell</td>
<td>4</td>
<td>3.6</td>
</tr>
<tr>
<td>II</td>
<td>Risk of Getting Caught</td>
<td>64</td>
<td>58.2</td>
</tr>
<tr>
<td>III</td>
<td>Risk of Adversely Affecting Health</td>
<td>10</td>
<td>9.1</td>
</tr>
<tr>
<td>IV</td>
<td>Risk of Bad Monsoon and Poor Harvesting</td>
<td>1</td>
<td>.9</td>
</tr>
<tr>
<td>V</td>
<td>Risk of Getting a Curse From God</td>
<td>14</td>
<td>12.7</td>
</tr>
<tr>
<td>VI</td>
<td>No Risk at all</td>
<td>17</td>
<td>15.5</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>110</strong></td>
<td><strong>100.0</strong></td>
</tr>
</tbody>
</table>

Source: Personal Survey

Figure 5.2

Percentage Wise Distribution of Perceived Risks Endured by Ganja Cultivators

Source: Table 5.1
Law enforcers too seem to have been well taken care of through bribes as one of the respondents\textsuperscript{23} remarked: “they (policemen) are very good now. We are very comfortable and more secure in their presence because we have them on our side”. In this way, law enforcing agencies act as the protecting agent of the ganja cultivation and trade. Drug criminals working with law enforcers are not new to many. Instances of high ranking officials of the law enforcing agencies and also that of bureaucrats and politicians being involved in drug trafficking are very often evident in Manipur. The arrest of one former Finance Minister, Heinam Lokhon Singh, in 2003 with regard to smuggling of heroine\textsuperscript{24} is such one good example. Among many others, to cite few cases of recent incidents in the year 2013 alone, 11 police commandos personnel were arrested at Pallel for trafficking drugs worth Rs. 3,64,02,000 in the international market\textsuperscript{25}. Moreover, Ajay Chaudhary, a Colonel of the Indian Army and an Assistant Manager of a private airline along with other four persons were apprehended for their involvement in smuggling psychotropic drugs worth nearly Rs 30 crores\textsuperscript{26}, besides MLA TN Haokip’s eldest son, Seikholen Haokip being arrested for possession of illegal drugs within that particular same week’s

\textsuperscript{23}This respondent is also the chairman of the ganja cultivators’ organisation that exists in the village during the time of the survey.
\textsuperscript{25} KSO Concerned over Drug Issue,” Hueiyen Lanpao (Imphal), April 20, 2013.
\textsuperscript{26} “Army Colonel among Six held with psychotropic drugs,” The Sangai Express (Imphal), February 24, 2013,
time. Involvement of law enforcing agency officials in the drug business indicates the total failure and ineffectiveness of the current drug law enforcement policy in the State. It is certain that the larger share of the drug trade goes smoothly under the cover of the law enforcers, law makers and law protectors of the land, without being detected.

5.11. Trust:

Trust is an important entity of ganja trade. There are many cases in trading illegal drugs where the rate of trust is very low and where dealers are suspicious of new faces and are less likely to consider someone they do not know or have not seen before. Trust, in the case under study is found to be very high with 90 percent having trust on their dealers. Only 10 percent is suspicious of the persons they deal with. However it is found that the betrayal rate is very high with 61 percent having experienced betrayal by agents and higher dealers at least once. The cultivators sometimes are not paid cash instantly. The agents acquire the product with the assurance that they would pay later. There are times when the business does not fare well in the higher networks, for instance, when higher dealers are arrested or when their products got seized before reaching the main destination. In such case, the product value

---

27 “Crackdown on Drug Racket Continues... Mla’s Son in Police Net, Remanded till Mar 8,” The Sangai Express (Imphal), February 27, 2013
gets vanished into thin air and it becomes a lost forever value for the cultivators. But even when such situation arises, due to the absence of legal services available in the illegal market, they just have no other option about it but to bear these as inherent loss. Having experienced such betrayals, which were more frequent in the earlier decades, majority of the cultivators take measures not to get betrayed again by never selling it on credit while some others deal with only known and trusted dealers.

5.12. Betrayal:

Betrayals in the ganja business come in different forms. There is a case of cultivators being betrayed by informers. Two respondents reported to have experienced arrest and incarceration because of a stranger who introduced himself as an agent coming for purchasing ganja products. Not long after collecting enough information about the possession of ganja, the houses of these two respondents were raided by armed forces; products were seized, and they were arrested. The cultivators thus reported to have been betrayed by this disguised agent who turned out to be an informer leading to their arrest. There are situations when even law enforcers are being betrayed. It is found that, in one incident, a higher level dealer sanctions certain amount of money to their lower level dealers to bribe the law enforcers for protection. A respondent reported to have betrayed an army commander by paying only half of the agreed amount with the assurance that the other half will be paid later. When
this respondent never turned up to pay the remaining money at the appointed time, he reported to have faced the music of the commander. The respondent’s house was instantly raided under the command of that officer but nothing could be found as the respondent reveals that he had anticipated the consequences and was vigilantly prepared.

5.13. Way of Communication:

Inter-personal contacts are the most common means of communication used by the respondents. Though the use of mobile phones has increased and has made communication much more convenient, still 90 percent depends solely on inter-personal contacts. This shows how inter personal contacts prove surety of the deal without getting any leakages; this is understandable given the historical betrayals. On the other hand, cultivators seem not to have adapted with the use of any technologies for its cultivation and trade. None of them uses internet or post/mail for communication. Moreover, they tend to have confined almost all activities to its old traditional way. Despite frequent occurrence of betrayal, it does not matter whom they sell their product to; known or unknown persons. Nearly four-fifths of the cultivators sell products to both known and unknown agents. This is because it makes no difference if they are paid cash instantly during the sale of their product; this immediately takes care of the risk of betrayal. Moreover, unknown and new agents become known easily to the cultivators. There is not much difficulty finding new agents as 68 percent
143

reported that new agents come searching for the product at the village itself or at times they are introduced by their friends or by old and familiar dealers.

5.14. Mode of Trafficking:

Agents and dealers employ cultivators for transportation of the procured products from the village to other villages. Ten percent of the respondents including three women have experienced rendering the service of transporting ganja in person from the village to other village for a price ranging from Rs 150 to Rs 500. Walking on foot, the job is mostly carried out at night. Each person carries not less than 20 kilograms taking the path where police and other law enforcement bodies could be easily escaped. Carrying ganja is said to be one of the terrible tasks they have experienced. One respondent recalled: “20 kilograms was light enough in the beginning. But it got heavier and heavier with distance covered and that made me feel so hungry, giddy and angry unlike in the transportation of head loads with more or less similar weights. When I reached the destination, I felt as if I had carried more than 40 kilograms” ²⁹. But the money offered was considered attractive and that drove them to take up the job. This tradition was very common in the 1980s and the 1990s. This was the period when only human labour was used for transportation of ganja products. However, such form of transportation has been replaced and made

²⁹ This could be due to the intoxicating effect of the products.
much easier by other forms of communication and transportation in the recent past.

Cultivators in the village who are involved in trafficking of the product outside the State do not take up the job often. Among all the respondents who is found to have trafficked the highest number of times is a cultivator who revealed to have trafficked ganja five times outside the State during his lifetime. He is one who had not been arrested even once. He reported to have trafficked 120 maunds per trip. His main job was to accompany the vehicle which carried the product and dropped it at the appointed place. All risks and expenses are being borne and taken care of by the higher level dealers. He reported that a sum of Rupees two Lakh at the minimum was paid in each security check-post to get a pass for the most recent trip. The understanding and arrangement with the security personnel were made well in advance before the actual transit takes place. The underworld big boss in the dealing chain is believed to be a very skilful person having good connection and influence in the upper world. He is said to have never shown up in person but would always send someone whom the trafficker is acquainted with to collect the product. The law enforcement agencies seemed to have been bought off easily as this particular respondent remarked; “we follow the principle of ‘the more you pay, the more you get’; paying really pays”. This is an indication that those who can buy protection prosper in the illegal business of ganja trade and the ones who
get caught are only those small dealers who cannot afford to pay bribes or are unwilling to compromise with the law enforcement agencies.

5.15. Clash and Rivalry Among Traffickers:

A dealer is believed to employ many agents under him. As is reported, there exists sometimes conspiracy and clash among agents of one’s own group or against that of other groups due to competition or misunderstanding. An agent who has the knowledge of another agent’s activities sometimes tries to get rid of each other to pursue their own interests. One respondent reported to have encountered a group dressed in full uniform of law enforcers that acted as law enforcers, hijacked the products and vanished. They were later found out to be fake law enforcers. Thus, some groups do take advantage of its illegality to prey upon others. Crimes of violence and intimidation are committed over drug crimes but such crimes remain hidden and unexposed due to the non-possibility of availing legal services.

5.16. Encounters with Insurgent Groups Relating Ganja Trade and Transportation Costs:

There are situations where insurgent groups act as the main law enforcing agencies of production and trade of ganja in and around the State. Insurgent groups are found actively involved in the prohibition of production and trafficking of illegal drugs at a particular point of time. This, in general perspective, boosts the moral image of such groups. There are incidents when
one insurgent group takes up measures of ganja plant eradication with a view to eliminate its cultivation, trade and abuse. Again, in more than one situation, there are reports of cultivators being halted by insurgent groups who seized and burnt their ganja products. While on the other, in some instances, they are found to be involved in trafficking in one form or the other. A respondent reported that his product was being looted on the way by one insurgent group which was understood to have been secretly resold by that group. In again another incident, there is a case where products being seized by an insurgent group are returned after making a payment of a huge amount of money. Traffickers are supposed to pay a sum of Rs 5,000 to one insurgent group when the goods are trafficked out of the village to another district. All such accounts reveal the double-faced moral standard of such outfits.

One common route taken by the traffickers requires one to pass through as many as more than ten villages to reach another district which borders another State. Each village collects a sum of not less than Rs. 100 as entry fee for each vehicle carrying illegal ganja product per trip. This may be regarded as a slight part of transportation cost for the transporters, but even in this slightest form, the series of involvement of numerous villages in the trade indicate an evil feature of how a black market runs.
5.17. Drug Law Enforcement

Several departments and organisations of the Central and State Government are involved in various activities relating to enforcement of narcotic drugs and psychotropic substances. Any such officer (being an officer superior in rank to a peon, sepoy or constable) of the departments of central excise, narcotics, customs, revenue intelligence or any other department of the Central Government including Para-military forces or armed forces as is empowered in this behalf by general or special order by the Central Government, has the power to search, detain, seize and arrest in relation to the offences relating to narcotic drugs, or psychotropic substances, particularly coca plant, opium poppy or cannabis plant. However the enforcement of drug laws varies from State to State.

Drug enforcement in Manipur is also seen to be active. To curb the growing menace of Narcotic Drugs and Psychotropic Substances, a Narcotic Special Cell was opened in the Police Department in January 1985. Further, in 1992, the government of Manipur accorded utilising the services of the Superintendent of Police (Border Affairs) for controlling narcotics drug related activities, arms smuggling and infiltration of foreigners. This was later re-designated as the Superintendent of Police (Narcotics and Affairs of Border

---

30 As is mentioned in the methodology section 1.9.1 in chapter 1, the data relating to the law enforcing activities covers the whole period of participants’ engagement in the cultivation and trade.

31 Section 42 of NDPS Act 1985
(NAB) with the approval of Government of India.) NAB co-ordinates with the Narcotic Control Bureau, New Delhi and its regional unit at Imphal. One of the achievements of NAB is the detection and seizures of about 1,020 maunds of ganja products among many other illegal drugs during the period 1978 to June 2014. Besides, it has registered 1952 cases and arrested 2357 persons related to narcotics drugs and psychotropic substances during the same period\textsuperscript{32}.

5.18. Drug Law Enforcement Activities in Ukhrul District during the Period 2009 – 2013:

During the period of research, data relating to the activities of the law enforcement agencies were simultaneously collected; this relates particularly to the period from 2009 to 2013. This section gives a brief account of the quantity of ganja seized and the number of persons arrested on ganja related crimes in Ukhrul district during this period. The District has nine police stations. They are: (a) Ukhrul; (b) Somdal; (c) Sangshak; (d) Chingai; (e) Jessami;(f) Litan; (g) Phungyar; (h) Kasom Khullen; and (i) Chassad. Arrests on ganja related crimes and seizures of ganja products took place only under three police stations: namely, Chingai, Somdal and Litan. A total of 4,249 kilograms of ganja were seized and 21 persons arrested under the jurisdiction of these three police stations during the period 2009 - 2013. It is seen that during the period,

\textsuperscript{32}Website address: manipurpolice.org/nab.htm. accessed September18, 2014
the highest number of persons arrested (18 persons) and highest amount of quantity seized (2,671 kilograms) fall under Chingai police station. One person was arrested in 2010 along with the seizure of 500 kilograms of ganja under Somdal police station. Neither seizure of ganja products nor arrests on ganja related crime was made in Ukhrul district in the year 2012. One thousand and seventy eight kilograms of ganja products were seized under Litan police station in 2013 and 2 persons arrested in relation with the seizure. The number of persons arrested and the volume of seizures of ganja products could be termed as achievements of the law enforcement activities. However, a total of about 106 maunds (4,249 kilograms) of ganja seized in Ukhrul district during the five year period (2009 – 2013) constitute a meagre fraction of the 485 maunds (19,400 kilograms) produced in a year by 110 surveyed households. The comparative figures alone signal the magnitude of concern of the large scale production of ganja feeding the black market.

Apart from seizures of ganja products, 4 packets and 10 grams of heroin were seized under Ukhrul police station and Shangshak police station respectively during the period 2009 – 2013. Besides, in 2013, 2 kilograms and 44 grams of opium were seized under Chassad police station. Moreover, five persons were arrested related to these seizures during the same period33. The

33 Police Department, Ukhrul District
arrest and seizures of ganja a product in Ukhrul in 2009 – 2013 is shown in Table 5.2.

**Table 5.2**

**Arrests and Seizures of Ganja Products in Ukhrul District in 2009 – 2013**

<table>
<thead>
<tr>
<th>Year</th>
<th>Quantity of Ganja Seized (in Kilograms)</th>
<th>Police stations</th>
<th>No. of Persons Arrested</th>
</tr>
</thead>
<tbody>
<tr>
<td>2009</td>
<td>603</td>
<td>Chingai</td>
<td>11</td>
</tr>
<tr>
<td>2010</td>
<td>500</td>
<td>Somdal</td>
<td>1</td>
</tr>
<tr>
<td>2011</td>
<td>2068</td>
<td>Chingai</td>
<td>7</td>
</tr>
<tr>
<td>1012</td>
<td>– – –</td>
<td>– – –</td>
<td>– – –</td>
</tr>
<tr>
<td>2013</td>
<td>1078</td>
<td>Litan</td>
<td>2</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>4249</strong></td>
<td></td>
<td><strong>21</strong></td>
</tr>
</tbody>
</table>

Source: *Police Department, Ukhrul District*

The present study finds that among the enforcement agencies, police and military are viewed by the cultivators as most active agencies in combating ganja cultivation and trade. They are found to be the main hindrance to their business. Nearly 11 percent have had experienced direct encounter with the law enforcement agencies, either in the form of being caught or being arrested. The highest proportion (33 percent) of this group belongs to the category of the lowest level of production\(^3^4\). It is also found that two-thirds (66 percent) of this group have been cultivating for not less than 21 years, and only one respondent

---

\(^3^4\) Refer Table 4.3 in chapter 4 for classification of level of production
fall in the category of the least period of years of cultivation, i.e. 10 years and below\textsuperscript{35}. This could be an indication of enforcement activities being more active in the earlier decades. Among those who have encountered the law enforcing agencies, 75 percent reported to have managed them through bribes\textsuperscript{36}. Only nine (8 per cent) respondents think that the law enforcement agencies are dangerous and of these seven are women. The rest thinks that they are not at all dangerous as they can be easily bought off. This group thinks that law enforcers serve as their protectors and are not a hindrance to their business. The respondents’ attitude towards law enforcement reveals the functional discrepancies present in the process of its enforcement.

5.18.1. Raid:

Raiding a house is one of the anti-drug measures carried out by the law enforcers. It is reported that there used to be frequent raids in the earlier decades. However, surprised raids have subsequently decreased in the recent past. About 40 percent of the respondents’ houses have been raided at least once. But during the raid, the products of only very few cultivators could be found out or seized. This is either due to the inability of the raiders to detect where it is hidden in rare cases or in many cases the product would have been removed from the house and hidden in the bush or somewhere outside, by the

\textsuperscript{35} Refer Table 4.2 in chapter 4 for classification of number of years of cultivation.

\textsuperscript{36} See Section 5.14 too.
time the raiders arrive. This is possible because whenever a house is being raided, the information is passed on to other fellow neighbours as quickly as possible to keep vigil and to take pre-emptive steps.

5.18.2. Arrest:

About 9 percent of the respondents have been arrested related to possession and transportation of ganja. Out of these arrestees, one respondent experienced being beaten up by law enforcers while more than 80 percent experienced being detained and products being seized. Among the arrestees, only 4 respondents have been jailed. Moreover, the remarkable part is that all the arrestees who were incarcerated were in jail for not more than three months. Ganja related crime is a non-bailable offence\(^{37}\). But none of the arrestees served full term of the sentence. The fact is that possessors, transporters, or dealers of ganja products are found being released on bail. This questions the accountability of the legal and judicial system of the land. The system too seems to have been compromised with ganja cultivation and trafficking.

5.18.3. Crop eradication:

One of the main measures to curb illicit trade of ganja taken up by the concerned authority is crop eradication. This measure has become one of the most popular ones in the last few decades. This policy is not very feasible and

---

\(^{37}\) Section 37, NDPS Act 1985
effective as it is not easy to destroy all the plants which cover huge acres of land in a day or two. Spraying of chemicals too demands consideration of environmental implications. It also becomes unjustifiable in areas where ganja is cultivated with other food crops at the same plot of land at the same time. Moreover, while taking up measures of eradicating the cultivation of illicit plant, certain aspects of human life must also be considered. United Nations 1988 Convention Against Illicit Traffic on Narcotic Drugs and Psychotropic Substances is one the bedrocks of the current Indian drug control regime. Section 2 of article 14 of the Convention allows each party to take appropriate measures to prevent illicit cultivation of and to eradicate plants containing narcotic drugs or psychotropic substances, such as opium poppy, coca bush and cannabis plants, cultivated illicitly in its territory. However, it has clearly mentioned that “the measures adopted shall respect fundamental human rights and shall take due account of traditional licit uses, where there is historic evidence of such use, as well as the protection of the environment”\textsuperscript{38}. This is one area where the law enforcing agencies are found wanting in the case of India in general and Manipur in particular. Human rights related issues are genuine controversies. The incident of one 50 year old, Sailasho Poumai, from Senapati district who was involved in ganja trading and arrested from Ukhrul

\textsuperscript{38} United Nations Convention against Illicit Traffic on Narcotic Drugs and Psychotropic Substances adopted in December 1988.
district is noteworthy. He committed suicide inside Sajiwa Jail,\(^\text{39}\) the central jail of Manipur. This speaks of the cruel indifferent attitude of the concerned authority regarding the fundamental human right to live. Poverty of the deceased’s family, unawareness and inability to avail legal service could have been the reasons why justice of the fundamental right to live could not have been delivered. Moreover, the agony of expected humiliation and other consequences of his incapability to pay off the debts he had borrowed for the trip might have led to the drastic ending of his own life\(^\text{40}\). This is one case of a ganja related crime leading to a severe and ugly consequence which is hard to be tolerated in the name of drug law enforcement. Enforcing laws without acknowledging the fact that engaging in its cultivation and trade sustain the lives of many economically backward people and who are deprived of the mainstream development and welfare indicates its violation of the fundamental human right to live.

In addition to these, policies like crop substitution and other development programmes to bring the illegal cultivators and dealers to the legal sector have never been strived for in the region. In fact, the endeavour to curb

\(^{39}\) "Sajiwa Inmate Found Dead," \textit{The Sangai Express}, September 22, 2011.

\(^{40}\) A personal interview with an associate of the deceased who was arrested and imprisoned together, October 12, 2012. "The deceased was a new comer in the trade. He wanted to try out his luck in that illegal business, but he had no capital to start with. So, he borrowed a handsome amount of money for the course of action. He was weeping whole night narrating to me how miserable and worthless he felt."
the illegal cultivation and trade of ganja is seen being attempted only in a loose manner. In such situation, the illegal venture is meant to flourish.

5.19. Conclusion:

The organisational set up of a local ganja market is found to be simple and open with its trade carried out smoothly in the village itself with the intermediaries working in between the buyers and sellers. It is found that, though price and demand of ganja products fluctuate, there exists no difficulty in transacting ganja products in the local market. However, it is believed that the lion’s share of profit from ganja cultivation is appropriated by the higher dealers or other groups, with only a marginal share of revenue going to the cultivators. Moreover, cultivators are vulnerable to certain risks: law enforcement related risks, health risks including morality and conscience risks.

Evidences showing law enforcers and politicians being involved in illegal drug trafficking deactivates and paralyses the whole system of drug law enforcement policies in the region. With the law enforcing agencies acting as the protecting agent of the ganja cultivation and trade too, only traffickers who could afford to buy protection prosper in the illegal business.

Measures to eradicate illegal drug production taken up by law enforcing agencies includes raiding houses of producers, arrests, seizures and incarceration, etc. However, the accountability of the existing legal and judicial
system of the land has been questioned as it is found that ganja related arrestees are all found released within less than three months, even though, the crime is a non-bailable offense. Moreover, law enforcement activities are also found violating the fundamental human rights of the ganja related offenders.