

CHAPTER III

CONSTITUTIONAL GOALS AND THE INTERNATIONAL CONVENTION ON DRUGS

3.1. The Directive Principles of State Policy.

The Directive Principles of State Policy enshrined in part IV of the Constitution of India are fundamental in the governance of the country as laid down in Article 37 of the Constitution, which is reproduced below:

"The provisions contained in this Part shall not be enforceable by any Court, but the principles therein laid down are nevertheless fundamental in the governance of the country and it shall be the duty of the State to apply these principles in making laws."

The Directive Principles can be described as sacred and inalienable as they represent the policies and the programmes which the State should achieve. While the Fundamental Rights impose a duty on the State not to violate them, the Directive Principles of State Policy impose corresponding duty on the State to apply them in making the laws for the welfare of the people. The objectives underlying both in the Fundamental Rights and in the

Directive Principles of State Policy are equally important and go together and represent the kind of the society which we wish to create in India. One of the Directive Principles of the State Policy enshrined in Article 47 of the Constitution of India lays down as under:

"The State shall regard the raising of the level of nutrition and the standard of living of its people and the improvement of public health as among its primary duties and, in particular, the state shall endeavour to bring about prohibition of the consumption, except for medicinal purposes, of intoxicating drinks and of drugs which are injurious to health."

3.2. International Conventions on Narcotic Drugs 1912-1953.

To control and regulate the supply of opium and other narcotic drugs, the following International Conventions were entered into between 1912-1953:-

- 1912. International Opium Convention (the Hague, 2-3, 1912).
- 1925 Agreement Re manufacture, international trade and use of prepared opium (Geneva, 13.7.1925).