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Impact of Prohibition on Liquor in Bihar : with Special Reference to Patna

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Abstract: On April 5, 2016, Bihar became the third state in India to impose total prohibition, after Gujarat and Nagaland. While Chief Minister Shri Nitish Kumar's sudden announcement took everyone by surprise, he ascribed his decision to the "overwhelming will of the people." Since the time the embargo has been imposed, Honourable CM has kept his pace, despite facing mixed reactions to his decision.

Through this research, we have tried to focus upon the impact of the prohibition imposed by the government on various sections of the society and its resultant consequences upon different spheres of the society. It

seeks to highlight the amalgamated reactions it has invited from the hoi polloi as well as the political antagonists. A modest attempt to compare Bihar with the other dry states has also been made, which has accentuated the points of similarities and dissimilarities between them.

As there is always a scope for improvement, we have tried to suggest a few reformative measures to the government which can ensure the perpetuity of this step in the long run.

Keywords: Liquor, Prohibition, Addiction, Impact, Reformative measures.

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Introduction :

"If we are going to establish the prosperity of the country upon an enduring basis, we must cleanse the foundations of the roots of Alcohol," said Lloyd George, former PM of the United Kingdom who played an important role in World War I. Most of the people in India are below subsistence level and nutrition is not sufficient even for the middle-class. To ensure a poverty-free and prosperous India, the consumption of liquor and other intoxicants should be limited to a certain extent.

Unfortunately, only a few states, that is, Gujarat, Nagaland, Kerala, Tamil Nadu, and partially Andhra Pradesh and Maharashtra, had been quick to

realize this fact. Of late Bihar too has joined the brigade of dry states. Our Honourable Chief Minister, Shri Nitish Kumar has materialized the dream of his mentor Shri Karpooori Thakur, who paved the path by prohibiting liquor in his tenure, back in the 1970s.

Objectives :

- To highlight the need for the ban.
- To highlight the steps taken to implement the ban.
- To highlight the various steps taken by the Government for rehabilitation.
- To analyse the increase in levels of other forms of addiction.

Hypotheses :

- Decrease in crime rates in Patna.
- Increased family bonds, better societal relations and positive psychological implications.
- Improvement in economic condition of the family.
- Increase in levels of other forms of addiction.
- Negative impact on trade and revenue of the state.

Methodology :

1. Project based on qualitative approach.
2. Research based on primary and secondary data.
3. Information from concerned people, media and internet.

Sampling Number :

50 people of different age groups, profession and class (Patna).

Interviews of :-

1. Politicians – of ruling and opposition parties.
2. Excise Commissioner of Prohibition and Excise Department.
3. Police Officers- SSP and City SPs
4. Doctors- Psychiatrist and Orthopaedic

surgeon.

5. Hospitality sector- Chairman of Hotel And Restaurant Association of Bihar.

Relevance :

The relevance of this topic lies in its being a contemporary and a volatile issue, which has not left a single class of people unaffected by its impact.

As students of History, we can relate this topic to all branches of Social Sciences - i.e. Political Science (its relation defining the conflict between the state and its population), Economics (its impact upon the coffers of the state and the population as a whole), Psychology (its implications upon the psyche of the addicts and the concerned families), Geography (which provides a platform for comparative analysis of the dry states in India), Sociology (the reaction of the society upon this act) and, above all, our own subject; History. History, in fact, bears testimony to the fact and extent to which the addiction of liquor has proved detrimental to people for generations; how bans have been imposed, and how these embargos have been lifted.

This topic also draws us to realize the permanence and relevance of the Gandhian constructive programmes which also proposed prohibition on liquor. It takes us back to the Champaran Satyagraha, reminding us of the values enshrined by Gandhiji and his enduring legacy upon the state of today. It helps us to retrieve the link between Gujarat and Bihar once again, both of which stand as 'dry' states today; one being the birthplace of Gandhiji and the other his launching pad as a national leader.

Hence, this issue is of great relevance in present times.

Conceptual Framework :

Liquor – Meaning and Types

Meaning : It is classed as a depressant, meaning that it slows down vital functions—resulting in slurred speech, unsteady movement, disturbed perceptions and an inability to react quickly.

Types : There are different kinds of alcohol, the

prominent ones being country liquor and IMFL (Indian Made Foreign Liquor) (http://www.syrupmagazine.com/what_it_is/what_alcohol.html)

Tracing the History of Liquor Consumption :

In World History :

Ancient World : In the Ancient world, consumption of liquor finds place in the Egyptian, Mayan, Chinese, Babylonian, Persian and Graeco-Roman civilisations.

Over time, more and more personal, economic, criminal, familial, social, moral, and religious problems were attributed to alcohol. This led to the rise of temperance groups, which were first established in the United States in 1808. Soon, England, Sweden, Ireland, New Zealand, Sri Lanka, and dozens of other countries around the globe followed suit. Groups typically began by promoting voluntary temperance or the moderate use of alcohol. They then sometimes called for mandatory temperance. But virtually all would soon come to demand mandatory and legally enforced prohibition.

In Indian History :

In Ancient India : *Sura*, a beverage brewed from rice meal, wheat, sugar cane, grapes, and other fruits finds mention in the Vedic texts. It was also the favourite drink of Indra.

Alcohol abstinence was promoted as a moral value in India by Mahavira, the founder of Jainism, and Adi Shankaracharya in early Medieval India.

In Medieval India : The indulgence in liquor continued in Medieval India, and its consumption was prevalent both among the ruling class and its subjects. The rulers of Delhi Sultanate were jovial winebibbers and surfeited in regular drinking. However, as nothing is free of exceptions, even this age witnessed the reign of rulers like Ghiyasuddin Balban (1266-1287) and Alauddin Khilji (1296-1316) who interdicted and discouraged the consumption of liquor.

In Modern India : Gandhiji professed that "liquor is not a matter to trifle with. No soft and easygoing policy will cope with the tremendous evil. Nothing short of prohibition can save people from the curse. "**It is criminal to spend the income from the sale of intoxicants on the education of the**

nation's children or other public services. The government must overcome the temptation of using such revenue for nation-building purposes. Experience has shown that the moral and physical gain of the abstainer more than makes up for the loss of this tainted revenue. If we eradicate the evil, we will easily find other ways and means of increasing the nation's income. (Harijan, 1947).

Earlier Prohibition in Bihar :

The Janata Party government led by PM Morarji Desai had formed a national policy on prohibition. However, it could be enforced only in the states where the Janata Party was in power. Bihar, with Karpooi Thakur as Chief Minister, was one of those, which banned liquor consumption in Bihar in 1979. (<http://mattersindia.com/2016/04/bihars-past-prohibition-lessons-for-future/>).

Provisions of the Law passed on 5th April, 2016

:

- Family members above the age of 18 will be held guilty if the law is violated at home, incurring arrest without warrant.
- Jail from 10 years to life imprisonment will be awarded for consuming alcohol or a contraband substance.
- The head or in-charge of a company and all responsible will be held guilty if any employee flouts prohibition within company premises (exception for companies in which central or state governments hold majority stake).
- Any excise or police official in the rank of sub-inspector or above can enter any premises at any time without warrant to inspect, search and collect samples.
- District magistrates can impose collective fines on villages, towns or community if repeated violations of prohibition occur.
- Special courts to try prohibition offences.
- Anyone storing utensils or apparatus used for making liquor will be liable for punishment.
- Failure to inform the police about

consumption or sale of liquor will attract a 10-year jail term.

- A jail term of 5 to 7 years for anyone found in intoxicated state due to use of liquor, drugs or medicines.
- Officials of media houses, movies, social platforms to face prison term of up to five years for directly or indirectly advertising liquor or any intoxicant.
- 10 year jail for anyone who obstructs police or excise official from enforcing the law.
- House owners who let out premises or buildings in which prohibition is violated will be held guilty and sentenced to prison term of same duration as violator.
- Habitual offenders could be expelled from a district or a part of it.

Criticism of the Law :

The law has invited criticism even from the teetotalers. Though the intention of the prohibition is only popular welfare, it needs to be regulatory. They add that the impugned Act is wholly obnoxious, draconian in nature and gives unfettered powers to the officers of the Excise Department as well as to the local police; converting a democratically elected state of Bihar into a police state.

Role of Government :

Steps taken post-prohibition : According to an article in the Times of India dated 14th July 2016, JD(U) launched the 'Sharab Mukti' Bihar Yatra. Rent agreements to have 'no liquor' clause.

Government to scan baggage of air, rail passengers.

Government plays an active role in preventing the sale of liquor and other intoxicants.

Role of Police :

An estimate of 10,000 people have been arrested and forwarded to jail said an article in the *Hindustan Times* dated 13th August 2016.

Prohibition Arrests, Recoveries

• Total raids	49,488
• FIR Registered	3,719
• Judicial custody	4,707
• Country liquor	96,878.66 litres
• IMFL	52,530.44 litres

Role of Bureaucracy :

Digital locker system: According to an article in the Times of India dated 14th Aug 2016 "In the last 4 months , since enforcement of prohibition, 9,669 people have been arrested for violating the prohibition law in the state and 3,413 of them got bail," State Excise Commissioner Aditya Kumar Das said. He also said 2,679 digital lockers have been installed on vehicles commuting to and from Bihar and the idea has been quite successful. He said that "In July , 45 gram charas was seized in the state, which is a new addition of other contraband seizure and a bit alarming.

Rehabilitation Measures :

For the Bihar government, enforcing a liquor ban that came into effect on Friday is not the only challenge . According to an article in *The Hindu* dated 3rd April 2016, de-addiction of hundreds of thousands of alcoholics is going to pose a tough task for the State government.

In the past, the task of de-addiction of alcoholics was mainly given to NGOs and voluntary organizations that run rehabilitation centres to help people get rid of the habit. The Bihar government has set up 39 de-addiction centres across the State for treatment and counselling of alcoholics.

Reaction of Opposition :

The prohibition has been termed as "black law" by opposition leaders. Not only stopping here the BJP also dubbed the Bihar Prohibition and Excise Bill 2016 as "**Anti-people**", "**Talibani**", and "**Draconian**". The Saffron party said that it was not against the Prohibition Bill, but claimed that **harsh provisions of the new law** would be misused by police and Excise Department officials as a tool to harass innocent people.

According to an article in *The Telegraph* dated 15th August 2016, former Bihar CM Jagannath Mishra submitted a memorandum to the Governor Ram Nath Kovind, requesting him to invoke Article 200 of the Constitution and not give assent to the Bihar Prohibition And Excise Bill 2016 on the ground that it was “cruel, curtailed personal liberty , and promoted hatred towards law and extortion by enforcement officials.”

Public Reaction :

The firmness with which the CM has imposed liquor ban in Bihar and his strong advocacy of imposition of prohibition in the country as a whole has a moralistic, even Gandhian ring to it.

This ban too has two sides-positive as well as negative. As far as the negative aspect is concerned, a number of people showed their dissatisfaction by speaking against this alcohol ban.

According to *The Hindu* dated 23rd August 2016, people of Nalanda district were quite furious because of the collective fine imposed on the whole village because of the recovery of hundreds of country made liquor bottles from the area.

Impact of Prohibition :

Positive and negative impact will be discussed under the following heads :

- Political
- Psychological
- Economic
- Social

I. Positive Impact

According to an article in the *Hindustan Times* dated 14th September, 2016, prohibition has saved the lives of many men. It will also save many families from getting wrecked, as men generally squander whatever they earn on liquor. It will also check physical abuse and mental torture of women as several men turn violent after getting inebriated.

Political Sphere : This historic step brought in by Honourable Chief Minister Shri Nitish Kumar can really be considered as an act of welfare. Overlooking revenue loss, he gave topmost priority

to the needs of numerous women who had become accustomed to bear the brunt of atrocities of their drunken husbands, fathers, fathers-in-law and sons.

Psychological Sphere : The prohibition has had a constructive impact on improvement of the psyche of the people which, in turn, has led to an improvement in the conditions of the society, which has become a better place to live in.

Economic Sphere : This embargo has led to an affirmative change in the economic status of the people of the state. While the upper classes have not been affected much by this ban, waves of cheer have been ushered in by the families of the lower rungs of the society where the erstwhile drunkards have now started contributing to the income of the family. The attached graph sourced from our interview proves this.

Social Sphere : The prohibition as well as proactive policing has contributed to a decrease in crime rates in Bihar. Moreover, the family bonds have also improved as the graph shows.

This ban has brought a positive effect in the lives of the women in Bihar too. After the ban and its strict enforcement it has been noted that these men returned home after work and didn't beat up their wives. Money which was used for consuming alcohol now reaches the hands of the wives who can use it to support their children's education or provide them with food and clothing.

II. Negative impact

____ According to an article in *The Indian Express* dated 18th August 2016, generally people allege that the ban on alcohol was intended solely at wooing women voters. But this would be a rather cruel joke on the people of Bihar. When the ban came into effect on October 2, 2016, Bihar would be the third state under prohibition after Gujarat and Nagaland. The negative implications of liquor prohibition can be interwoven in the following spheres—

Political sphere : Though the intention is good, it has been a subject of criticism by prominent opposition leaders as well as teetotalers who have ended in terming the law “anti-people” and “talibani”.

It is also known that officials have increasingly indulged in misuse of the law to falsely implicate the people (as in the recent case of Chief Post Master, Patna) thereby leaving no stone unturned to tarnish the image of the Honorable CM. Hence, this law can erode the positive image of the CM and may even cost him his chair in the next elections.

Psychological sphere : Three months after the Bihar government imposed total prohibition, attendance at de-addiction centres has shrunk to a trickle even as dozens of deaths have been reported across the state. Withdrawal symptoms seem to be the main culprit as people resort to other forms of addiction such as opium, ganja, bhang and cough syrup.

Economic sphere :

(a) Revenue loss to the state : The total prohibition has inflicted a loss of approximately Rs 5000 crores on the state coffers. Moreover, besides the state, there are others who have been struck by economic losses which include the closure of the liquor firm USL (United Spirit Limited) which has been hit hard.

(b) Increase in bootlegging of liquor : Following the ban the locals have begun crossing borders and going to neighbouring states or even to the neighbouring country of Nepal to enjoy liquor. In fact, according to a *Times of India* report, local hoteliers in Nepal claimed that their business has increased two to threefold due to the ban on liquor in Bihar.

(c) Loss of employment : The prohibition on liquor sale came as a major shock for the erstwhile sellers of liquor, who found their lives in complete confusion following the ban.

(d) Loss to the hospitality and tourism sector : The hospitality and the tourism industry have been the worst sufferers from the prohibition drive. They have been incurring huge losses.

Room occupancy in the hotels has plunged and corporate conferences have almost stopped. The Food and Beverages Department has also been affected by 30-35% losses

Social sphere :

(a) Spurt in crimes : Citing figures from the state government's official website, BJP leader Sushil

Modi said 16,208 cognizable offences were reported in May 2016 compared to 14,279 in April 2016.

(b) Increase in other forms of addiction:

There has been a sharp increase in other forms of addiction. With the ban in Bihar use of Corex cough syrup which comes as a substitute intoxicant has increased. A close look into the data on drug abuse according to NDPS Report shows a sharp increase in drug abuse in 2016 in the months of June, July and August with the highest drug intake being in July in comparison to 2014 and 2015.

(c) Effect on the medical sphere: Doctors and chemists have termed unwise the government's decision to make possession of spirits or medicines with alcohol being declared illegal in the Bihar Prohibition and Excise Bill, 2016. The opposition party HAM (Hindustan Awaam Morcha) has alleged the government for ordering the closure of 13 homeopathic factories in the state which has had a negative impact on the medical field.

(d) Deaths by spurious liquor: Deaths by the consumption of illicit, spurious liquor have been perhaps the greatest setback to the prohibition process. Thirteen persons have died after reportedly consuming spurious liquor in Gopalganj town of Bihar — the first such deaths after prohibition was imposed across the state in April this year, which continues to remain a black spot over prohibition in the state.

(e) Exodus and deracination of people : “Yes, I am addicted to prohibition. Those who cannot do without drinking should go to some other place” was what CM Nitish Kumar had said on August 1, 2016 in a debate on the Bihar Prohibition and Excise Act, 2016 in the Legislative Assembly. The Chief Minister's statement has come true: the people of Bihar especially the entrepreneurs are fleeing the state, and exodus from villages has become common.

Comparative Analysis :

Alcohol prohibition in India is in force in the states of Gujarat, Kerala, Nagaland and Bihar; as well as in the Union Territory of Lakshadweep. All other Indian states and Union territories permit the sale of alcohol (www.wikipedia.org).

Findings:

- While there has been a very slight fall in

the crimes against women, organized crimes like kidnapping , burglary, and extortion continue unchecked rather increased.

- This prohibition has improved the atmosphere of the society and refined family bonds, among the lower rungs of the family. However, as far as the psychological implications are concerned, while few could cope up with the embargo, many succumbed to the withdrawal symptoms.
- Our third hypothesis has been proven correct for the lower rungs of the- society. However, the upper strata remains unaffected by it.
- By the reference of data from the NDPS Act (2014, 2015 and July, 2016), while there has been a skyrocketing increase in the consumption of Toddy, a respite has also been witnessed in drug abuse.
- The state has registered a loss of approximately Rs. 4000 crores on its revenue coffers.

Suggestions :

- Bihar should be freed from the influence of all intoxicants like Bhang, Toddy, Ganja and drugs.
- The government should emphasise upon a regulatory mechanism and moral policing.
- Other issues like women’s security, sanitation and water logging, open defecation need to be focussed on.
- The government should regulate the sale of acids which is used as a corrosive agent by the anti-social elements.
- The government should focus upon the rehabilitation process to aid people get rid of the withdrawal symptoms.
- Alternative sources of revenue must be ventured into in the forms of fines, exports etc.

Conclusion :

The road ahead- Entering the seventh month of prohibition, the unanimity has disappeared, with

the Opposition highly critical of the government for what it terms as ‘draconian’ provisions of the new Prohibition Act, 2016. Moreover, the law has even been challenged , with Amir Subhani getting additional charge of the Excise Department in place of Shri K. K. Pathak, the architect of the idea. However, one thing remains unchanged - Bihar still remains dry despite all hue and cry and the government has stuck to its resolve of “ushering in a silent social revolution”, with a prospect of not only changing lives, especially among the underprivileged communities, but also reaping rich political mileage with ‘total support of women’.

LIST OF FIGURES

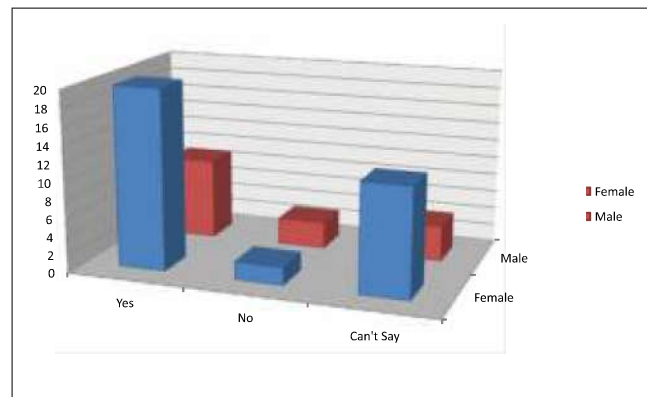


Fig. 1

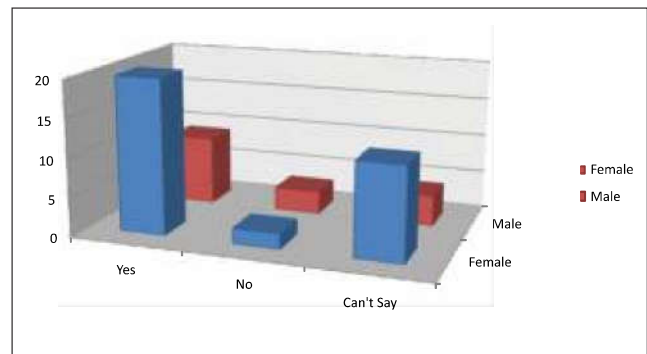


Fig. 2



Fig. 3

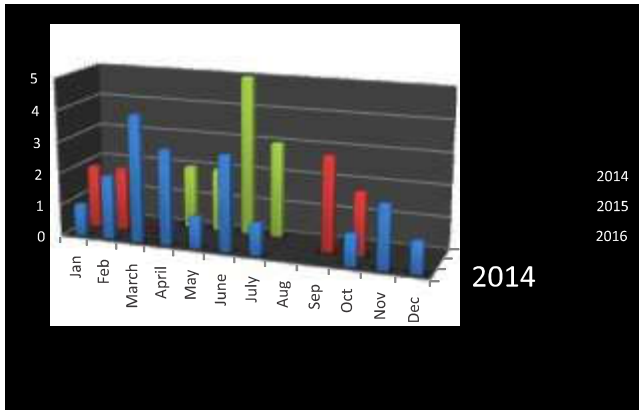


Fig. 4. Data on Drug abuse according to NDPS Report (2014-16)



Fig. 5

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