

Review Research Paper

Scenario of Hooch Tragedy in Gujarat State

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Abstract

Currently, the Hooch Tragedy occurred in July 2009 at Ahmedabad, Gujarat, resulting in the death of 136 people from consumption of bootlegged liquor. This was the highest death toll in Gujarat from consuming moonshine since 1989 when 132 people had died in a matter of days in Vadodara. The number of patients admitted in the four hospitals of Ahmedabad-Civil Hospital, V.S. Hospital, LG Hospital and Shardaben Hospital had risen to 276 with nearly 100 needing observation either in ICUs or surgical wards. Embarrassed by the scale of the tragedy in a state where consumption and sale of liquor is officially banned, police swept through Gujarat in search of those, illegally selling home-made liquor.

Gujarat is the country's only state where sale and consumption of liquor is banned in deference to Mahatma Gandhi, a Gujarati who was passionately opposed to liquor. This has led to a proliferation of illegal liquor dens, whose home-made brew is mostly consumed by those from low income families who can't afford high priced drinks available outside the state.

Key Words: Hooch Tragedy, Moonshine Tragedy, Liquor, Brew

Background:

Gujarat had banned alcohol consumption since 1961 as homage to Mohandas Karamchand Gandhi. However bootlegged alcohol, known as Hooch (abbreviation of hoochinoo, name of liquor making Alaskan tribe), is widely available, allegedly under the patronage of the local police. [2] The tragedy happened at a time when the police had clamped down on bootleggers thus creating a shortage of Indian Made Foreign Liquor (IMFL) bottles. Trends of hooch tragedies in Gujarat have indicated that they mostly happen when police takes dry laws seriously and clamps down on bootlegging, because regular drinkers find it hard to let go of the habit, or when bootleggers do good business and the demand is so good that they go to any extent to meet it.

Year	City	Deaths
1976	Ahmedabad	100
1987	Ahmedabad	108
1988	Vadodara	200
1989	Veraval	32
2005	Surat	12

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Gujarat has witnessed several occasions of alcohol poisoning, claiming the lives of more than 400 people after the ban was enforced. [3]

To counter the liquor mafia, the state government in 1997 formed the State Prohibition Department, which was dismantled in 2006 because of a shortage of police personnel. During the tenure of the department there were no incidents of alcohol poisoning in Gujarat. [4] In 1997, the RJP government in Gujarat formed the State Prohibition Department, armed with 3,000 policemen and dozen IPS officers. It could not stop trafficking of alcohol, but effectively controlled bootlegging. Not a single hooch tragedy was reported in its time. But in 2006, BJP Chief Minister decided to dismantle the department to strengthen the state police force, which was facing a 28 per cent shortfall.

The result -- prohibition-related crimes shot up by 26 per cent. The illicit liquor tragedy in Gujarat has claimed many lives. Nearly 136 people have died, and many others have lost their eyesight. The recent hooch tragedy is clearly a result of failed policing. Recognising the failure, the BJP government has decided to build a similar crack team on the 1997 model to counter the liquor mafia. The state government is also planning to revise laws to make punishments tougher. But it seems like a meaningless cycle - building, breaking and rebuilding teams to enforce prohibition. Precious human lives are lost in the process.

Gujarat's government has estimated that it loses Rs 30 Billion [5] (\$ 615 Million, € 441

Million, £ 379 Million) a year in excise revenues from prohibition, hinting at the true magnitude of the state's underground alcohol trade. Several other Indian states have tried prohibition in the past, but all except Gujarat have abandoned it.

Current incident:

On 7th July 2009, ten people died in Behrampura, Ahmedabad [6] after drinking spurious liquor a concoction of country brew with high percentage of ethyl alcohol.

The liquor was brewed in the house of one bootlegger, who also died after consuming the liquor. His death triggered panic in the area. By then, several people were complaining of vision loss, nausea, stomach-ache and uneasiness and were admitted to V S Municipal Hospital. All victims died of heart attack. The death toll rose to 43 next days [7] and crossed 120 by July 12. [8] There were 276 people admitted in various hospitals with nearly 100 of them in intensive care units. [9]

The Forensic Science Laboratory (FSL) report on the Gujarat hooch tragedy reveals that the country-made liquor, consumed by many in Ahmedabad, had a large dose of methyl alcohol – four times the permissible dose - making it lethal. As high as 48% methanol was found from sample of soil stained with Lattha (country-made liquor).[10] In all, 136 people died in Ahmedabad after consuming this liquor.[1] More than 1000 litres of hooch containing methanol was brought to Ahmedabad from Mehamdabad, Kheda district. [11]

Deaths from drinking illegally brewed cheap alcohol are common in India, where few people can afford licensed liquor. Known locally as **Desi Daru** (pronounced THEY- see DAA-roo), illicit liquor is often spiked with pesticides or chemicals to increase its potency. The spirits are sold in plastic sachets that cost less than Rs 10, mainly to poor labourers in the state.

In Gujarat, the problem is worse because the state law prohibits the sale of all liquor. Some people believe that this is happening because producers, police and politicians are all involved in making easy money. According to sources, at least seven police stations in Ahmedabad knew about the hooch sale and did nothing to check it. There are 44 brokers who regularly collect *hafta* (extortion money) from 32 illegal liquor manufacturers and then share the spoils with the cops. There are at least two brokers associated with each station.

Reactions:

After the incident, there had been demands for repealing the prohibition of alcohol

in the state. [12] In a survey, 60 % people agreed that prohibition of alcohol in Gujarat should be scrapped, while 40 % disagreed. Some people believes that 'Dry law' not culprit, hooch deaths in 'wet' places too. It is universally recognised, as also in India - where several states have abolished prohibition on the consumption of alcohol - which the policy leads directly to criminalisation and to illicit liquor. It is what drives the liquor trade underground. Prohibition is an invitation to more such tragedies to take place.

Some people criticised the Gujarat government and claimed that "Blanket prohibition has never worked in this free world". [13]

The Gujarat state chief minister [14] and home minister, whose ministry oversees the state police force has faced calls for his resignation after more than 100 people died from drinking bootlegged alcohol in the western state of Gujarat. Police abetted in bootlegging, hundreds of protesters attacked buses with sticks, threw stones at police and burned effigies of chief minister. Members of a women's rights group raided a bootlegging shop, destroyed the alcohol stocks and handed the owner over to police. The police are hand in glove with the bootleggers and that's how (the illegal business) has proliferated, resulting in this tragedy.

The chief minister appealed to the citizens of Ahmedabad for keeping calm and promised to take deterrent action against the guilty. Under public pressure to crack down on illegal booze, police raided illegal alcohol outlets and rounded up more than 800 alleged bootleggers. They have also arrested the alleged main supplier of the deadly alcohol. Authorities have asked a retired judge to investigate the deaths and suspended six police officers for negligence. However, activists accuse officers and politicians of taking bribes and turning a blind eye to the bootlegging.

Following the tragedy, the police conducted more than 8000 raids in the state, book 6713 persons for violation of prohibition. [15] Chief Minister held a high-level meeting with Home Department officials and top police officers to review the case even as many schools and colleges remained voluntarily closed in view of the "*bandh*" calls given by various organisations to protest against the liquor tragedy. The state government introduced a bill in the state Assembly to amend the Prohibition Law:

Lattha, defined [16] in the proposed amendment to Bombay Prohibition Act 1949, as: "Spurious liquor, which contains methanol or any

other poisonous substances, which may cause harmful or injurious effect on human body or death to a person”

Punishment: [16-18]

- Minimum 7 years and maximum 10 years imprisonment plus fine to anyone manufacturing, selling, buying, keeping or transporting *lattha*
- Capital or life imprisonment to manufacturer, distributor or seller of *lattha* in case of death due to spurious liquor
- Life imprisonment to anyone supplying raw material for manufacturing *lattha* in case of death due to spurious liquor
- One year imprisonment and Rs. 3000 fine to any prohibition or police officer failing to send sample of seized liquor for forensic test
- Vehicle transporting liquor, including *lattha*, not to be released on bond till court judgment.

However, the Bill still remains a Bill as the governor of India is yet to sign on the same. "Stringent laws may not be a sure way of deterring criminals from wrongdoings, but they certainly help in reining them in and later in their prosecution," a government official said.[19]

The amended bill has proposed 7 to 10 years imprisonment for those found guilty of manufacturing, selling or distributing country liquor in cases where consumption of the same does not result in death. The Bombay Prohibition Act 1949 had undergone amendments in 1964, 1978, 2003 and 2005.

The Bombay Prohibition (Gujarat Amendment Act) 2009 makes it mandatory for the police to send the seized consignment of

country liquor to the Forensic Science Laboratory in Gujarat for testing before suitable charges are filed against the culprits.

The seized vehicles in which the liquor is carried are to be auctioned and the proceeds deposited in the state government treasury, the amended bill states.

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