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Hooch Tragedies in India: A Review

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ABSTRACT

Since independence about 2000 people have lost their lives in many hooch tragedies In India. The nation witnesseshooch tragedy virtually occurred every year, not sparing even the states where selling of alcohol is legally banned. Methyl alcohol, act as chief adulterant and mixed with country liquor. The toxic effects of this adulterant manifest in the form of either the death of or permanent blindness of those who survive. Data across the country reveals the brutal fact that this spurious liquor mainly targets lower socio-economic strata, owing to their unaffordability to purchase liquor from licensed shops. This paper, thus intends to discuss the genesis of hooch tragedy, its sociological impact and, legal provisions to curb thetrade of illicit liquor. It also proposes recommendations to further bolster existing laws.

Keywords: Illicit liquor; Hooch tragedy; Methyl alcohol

Introduction

'Hooch' is a colloquial term for alcoholic beverages (also spelled hootch). Originally used to mean specifically "cheap whiskey" (1897) it is a shortened form of Hoochinoo (1877), a liquor made by the Tlingit, an indigenous people of Alaska. The name comes from a Tlingitk̲wáan or group called the Xutsnoowú K̲wáan whose distilled liquor was a favourite with miners in the 1898 Klondike gold rush (1). In the present context, 'hooch' as a term has acquired a global reference to denote any illegal liquor. Moonshine is another term which was coined nearly the same time when hooch was coined. Moonshine is referred to a white whisky, which is high-proof distilled spirit, generally produced illicitly (2). In India term 'Lattha'is used to define any 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 (recent amendment in Bombay Prohibition Act 1949). Other names for illicit liquor are Khopadi, Ladda, Dalda, Bewada, French polish, etc (3).

India is a developing nation, where 42 % of its total population falls below international poverty line (3). Although the GDP (Gross Domestic Product) of India has increased five folds and life expectancy has doubled since independence (4), still a larger population finds it hard to purchase liquor from authorized shops. This very population ultimately end up in consuming illicit liquor bought from bootleggers at cheaper prices. Unfortunately with repeated hooch tragedies, a system shows its inefficiency in curbing this lethal phenomenon.Through this paper, we have tried to focus on the sociological impact, it causes and existing legal provision to curb this deadly menace. Further we have proposed some recommendations, which may help authorities to strengthen existing laws.

Discussion

India has witnessed various hooch tragedies in the past, the major hooch tragedies which happened in India till date, are given below, Table no.1. (5, 6). Except north eastern states of India, almost every other Indian state was affected in the past. Surprisingly, in Gujarat (Dry State) hooch tragedy struck 5 times in the past, even though state has been following dry law since 1961. It proves that dry law has failed in controlling the illicit liquor trade.

In most of the hooch tragedies mentioned in table 1, 'methyl alcohol' (methanol) was used as the chief adulterant (6). The main reasons for its use as adulterant are being similarity in appearance and taste with ethyl alcohol, and easy availability. In industry, it is used as an antifreeze, solvent, fuel and ethanol denaturant (7). The potentially lethal dose of methanol is variable, adverse effects has reportedly occurred at 30 ml (6). Toxicity of the methyl alcohol manifests as permanent blindness or ultimately death due to respiratory failure. The adverse effects of methanol occurred due to accumulation of formic acid, a metabolite of methanol metabolism (7). There have been incidents where chemicals like organo-phosphorus compounds have been added to illicit liquor. (8)

Broadly three types of alcoholic beverages are made and consumed; these are Indian Made Foreign Liquor (IMFL), Country Liquor and Illicit Liquor. The first two categories alcohols were made to generate huge revenues for the government. Government authorities ensure about proper licensing, production process and alcohol content in the beverages. IMFL contains maximum alcohol up to 40% and in country liquor it is about 42%. Illicit liquor, which is produced clandestinely without any quality control, alcohol content may go up to 56%. And if compare the prices, the IMFL may range from Rs 200($ 3.68) –Rs 2000($ 36.85), country liquor may range from Rs 40($ 0.74) -Rs 100($1.84) and illicit liquor can be purchased at as low as Rs 7($0.13) – Rs 10($ 0.18). It is these cheap prices, which lure poor people like labourers, rickshaw pullers and hawkers to consume illicit liquor (9).

Trade of illegal liquor, flourish by word of mouth. Poor people who purchase this liquor know the sources to buy cheaper and illegal alcohol. Its marketing and production happens like 'cottage industry', which means in every village or slum, there is one or two houses which run this sort of business. Even though hooch tragedies hamper business of spurious liquor, as the bootleggers lose their customers as well as may fall prey to the legal machinery of the state. But the question arise why hooch occur. Before understanding the sociological underpinnings of these tragedies, it's imperative to first understand how illicit liquor is prepared.

There is no difference in preparation of country liquor and illicit liquor, both are prepared from molassesand other available products. But illicit liquor contains methanol. And when, the bootleggers end up in adding large quantity methanol inadvertently in brew than required, this result in toxic concentration of methanol in brew, leading to mass disaster in the form of hooch tragedy. Hence, it is the 'error of judgment' in mixing methanol to country liquor that leads to catastrophe. Second reason for tragedy is that, if two people are indulge in this murky business in the same area, because of the competition one person may secretly, add excess quantity of methanol in the others' preparation.

It is always poor, who are hit hard in the hooch tragedy. If the sole bread earner is consumed in the hooch tragedy, then it becomes very difficult of the family to sustain. State governments do offer some monetary compensation, but amount they offer is as per their discretion. In 2011 West Bengal chief minister gave Rs 2 Lakh to the next to the kin of dead (10). Kerala government offered Rs 1 Lakh as compensation in 2002(11). During the recent hooch tragedy in Bihar and Odisha, families of the deceased got Rs 20,000 and Rs 10.000 respectively as compensation, which is too meagre(12, 13). In our view there should be a fixed amount for compensation and central government should also contribute in compensation amount.

According to Room (1989), India lies in the category of "dry cultures" but there is a tendency among those who drink to indulge in heavy drinking. India is an agrarian economy so homebrew made of rice, sugarcane, millet were commonly used. But after economic liberalization, government has allowed entry of foreign alcoholic brands which caused a shift in drinking preference. Drinking is very common in 20 to 38 per cent of males. The per capita consumption is about 2 litres which increases to 3.5 litres if females are excluded since abstinence rate is more than 97 per cent in the fairer sex. During the hooch tragedy in Gujarat (2009) more than 25 % victims were in the age group of 21-30 years, 40% were in the age group 31-40 years, 25% were in the age group of 41 -50 years (9).

Bombay prohibition Act 1949, deals with any activities that involves manufacturing of lattha, constructs or works any distillery or brewery for it, sells or buys lattha, uses, and its transportation (14). In the wake of Gujarat hooch tragedy (2009), Gujarat government decided to make punishment more stringent. Recently they amended Bombay prohibition Act 1949 and renamed as Bombay Prohibition (Gujarat amendment) 2009 act. Bill has been passed by Gujarat assembly and it recommends capital punishment or life imprisonment for anybody who indulges in manufacturing, distributing or selling of latthaand supplying raw material for it. In the cases where the consumption of spurious liquor has caused death a minimum 7 years and maximum 10 years imprisonment, in addition to the fine to anyone manufacturing, selling, buying, keeping or transporting lattha. Act also recommends one year imprisonment and Rs.3000 fine against errant police officers who fails to send sample of seized liquor for forensic test (15).

Various judicial commissions were formed to inquire about tragedy and framing recommendations for the prevention of future tragedies. They advocate for publicity and awareness about the ill effects of the spurious liquor (16). Strengthening of medical services was also recommended to tackle mass disaster like hooch tragedy. There is proposal of increasing the VAT (Value Added Tax) for those drugs which contains high quantity of alcohol. These drugs were found to be added in spurious liquor (17). Other solution is being followed in Tamil Nadu model — where the State governments monopolize the trade through a State-run distribution corporation that controls the supply of IMFL (Indian Made Foreign Liquor) and facilitates widespread access to it (18).

In our view ‘education’ has a major role to play in preventing hooch havoc. Right to education up to 14 years to a child in major step forward, this makes it mandatory for the state as well as parents to send their wards for formal schooling. Consequently, education provides right orientation to the children of the poor who are major target of this illicit liquor. We also recommend ‘Employment Generation’ for those who indulge in this trade, who are mostly poor and attracted to this trade for want of an easy alternative to earn a living. Regular quality analysis of sample of country liquor in the forensic laboratory can also be considered. Prices of IMFL should also be reduced so that poor people can have access to it.

Table No.1Year wise distribution of deaths due to Hooch tragedy

S.No	Year	State	Victims
	1976	Gujarat	100
	1980	Haryana	44
	1986	Gujarat	108
	1987	Gujarat	200
	1988	Gujarat	32
	1991	Delhi	252
	1992	Odisha	200
	2001	Uttar Pradesh	18
	2004	Maharashtra	87
	2004	Maharashtra	27
	2005	Gujarat	12
	2006	Odisha	22
	2008	Karnataka	180
	2008	Rajasthan	25
	2009	Uttar Pradesh	29
	2009	West Bengal	27
	2009	Gujarat	130
	2009	Delhi	12
	2010	Andhra Pradesh	14
	2010	Uttar Pradesh	13
	2010	Kerala	23
	2010	Uttar Pradesh	35
	2010	Punjab	12
	2011	West Bengal	170
	2012	Bihar	26

References

1. http://en.wikipedia.org/wiki/Hooch
2. http://en.wikipedia.org/wiki/Moonshine
3. http://en.wikipedia.org/wiki/Below_Poverty_Line_(India)
4. http://m.indianexpress.com/news/india-china-and-a-growing-gap/1131749/
5. http://www.hindustantimes.com/News-Feed/India/Timeline-Major-hooch-tragedies-in-India/Article1-782819.aspx
6. P Pankaj, G Ganesh, P Akhilesh. Scenario of Hooch Tragedy in Gujarat State. J Indian Acad Forensic Med. Jan- March 2012, Vol. 34, No. 1
7. http://en.wikipedia.org/wiki/Methanol
8. http://articles.timesofindia.indiatimes.com/2011-12-16/india/30524203_1_methyl-alcohol-illicit-liquor-illicit-brewers
9. apapaonline.org, Country Profile *on* Alcohol in India *by.* Shekhar Saxena.
10. m.ibnlive.com/news/west-Bengal-hooch-tragedy
11. www.thehindu.com/.../kerala/hooch-tragedy-victim
12. http://articles.timesofindia.indiatimes.com/2013-01-04/patna/36148025_1_ara-hooch-tragedy-fsl-report-st-act
13. http://orissamatters.com/tag/judicial-inquiry
14. http://stateexcise.maharashtra.gov.in
15. http://timesofindia.indiatimes.com/topic/Bombay-Prohibition-(Gujarat-Amendment)-Bill
16. www.indianexpress.com/news/2009-hooch-tragedy
17. www.odishareporter.in/.../naidu-commission-submits-report-on-cuttack
18. www.thehindubusinessline.com/opinion/liquo