

THE AWARE CONSUMER

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Using Bans As A Substitute for Effective Governance?

INTERVIEW



Mr. Wajahat Habibullah, IAS (Retd.)
Former Secy. to the Govt. of India
Chairman, PSAIF, New Delhi

OUT OF THE BOX
Ban on Medicines –
Will India Ever Synchronise
with the World?

RESEARCH FEATURE
Prohibition or Regulation:
Which is a Better Approach
to Save the Environment?

PLUS

ROUND UP • MY MARKET • THE PRESCRIPTION



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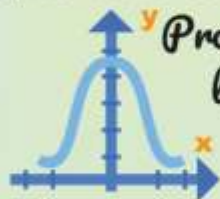
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ISO 17034: General requirements for the competence of reference material producers

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MESSAGE FROM PUBLISHER & EDITOR

The Illogical and Unreasonable Grounds of our Bans

INDIA LOVES ITS bans! The babus are always on a spree of prohibiting anything and everything that they deem unfit for the citizens – be it songs, movies, books, food, drinks or apps. A string of bans have been imposed over the decades, with successive governments disallowing and allowing varied products and services at will.

It is not just about restricting the freedom of choice of the consumers – many will surely argue that who is the government to decide whether a person can drink alcohol, eat beef, read Satanic Verses or even watch porn. However, the bigger picture here is that do the bans even make sense? What higher purpose are we looking to solve when the banned alcohol, e-cigarettes and other products are making hay on the black market and fuelling counterfeit trade in the country? It is a heavy blow to the exchequer at the end of the day.

Can the government play Big Brother by espousing a moral outlook or safeguarding our culture and traditions, let alone adopting a political stance? Banning a book or a movie is a kneejerk reaction that does not impact the public's views or attitude in any manner. In fact, the opposite happens; driven by an unabated curiosity, the consumers will be ready to pay through the nose to get their hands on the banned product!

At the same time, these very bigwigs seem to be looking the other way with many perilous products that are banned across the world being freely and legally available in India? Come to think of it, even the bans that are designed to benefit the consumers, the country or the environment often get lost in implementation! The longstanding efforts to ban usage of plastic is a prime example.

Going forward, the policymakers should restrict themselves to regulating truly unsafe things that can cause serious injury, illness or death. The focus has to shift from blindly imposing outlandish and lopsided bans to maintaining suitable control and oversight while equipping the consumers themselves to make educated and informed choices that will be in their best interests!

On a lighter note, for all we know this article/magazine too may get banned.....

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**Raho halke,
jiyo khulke.**

PRAFULL D. SHETH

Editorial Board Member

NEED FOR RATIONALE AND REGULATION IN BANS



EVERY COUNTRY HAS its bans for outlawing certain activities or products that it considers unsafe or unsuitable. The validation behind the prohibitions can be varied – protecting the citizens' health, the

biodiversity, the environment or even the economy. There is usually medical evidence or other scientific justification driving the ban; people understand it and this ensures that most, if not all, abide by the regulation.

However, India seems to have a strange affliction of banning things left, right and centre, that too, at times for the silliest of reasons! For instance, you are not allowed to invite foreign nationals to a party in Karnataka. The ostensible motive of the killjoy law is to control the crime against foreigners!

While the governments are making laws on moral grounds and religious sentiments, an entirely different story unfolds in another arena. Medical opinion is divided over many of the medicines that are banned in the country. Not to mention the lack of regulation over the questionable fixed-dose combination (FDC) drugs that have become the norm in pharmacies across the land.

These FDCs come from a good place and traditional formulations are considered crucial for



treating and managing diseases like tuberculosis. While the developed world permits only such proven formulations that are backed by clinical trials, India is infamous

for its lakhs of unscientific,

incompatible and clinically ineffective FDCs, with random combinations being launched on the unsuspecting public every other day. Some of the FDCs have been banned over the years, but this is only the tip of the iceberg. So, whose interests are we protecting here?

At the other end of the spectrum, the permissible FDCs are not always available in the required doses. Even when formulated, there is a lopsided price difference with lower dosages often being pricier than the higher dose blends. And when an aware consumer decides to buy the medicines separately, the individual prices are too prohibitive to make it worth his while!

We have seen the prices of commonly-prescribed medications like Ivermectin double during the terrifying second COVID-19 wave last year. What were the price regulators like NPPA doing then?

It follows that what the nation needs is sensible bans coupled with rational price control by the requisite authorities! ■

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RESEARCH FEATURE

PROHIBITION OR REGULATION:
WHICH IS A BETTER APPROACH TO
SAVE THE ENVIRONMENT?



Governments are taking varied measures – read: bans and regulations - to address the growing consequences of climate change.



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HORIZON

STOPPING USE OF SINGLE-USE PLASTICS:
- WILL THE UPCOMING BAN BE ENOUGH?



India is joining the global fight against plastic pollution with, you guessed it right, a BAN on single-use plastics effective from 1st July, 2022.



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INTERVIEW

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MY MARKET

ALCOHOL REGULATIONS -
CAN PROHIBITION TAKE THE STING
OUT OF THE INTOXICATING SPIRITS?



Alcohol is a social ill but it also serves as major source of revenue to the state exchequer in the form of duties and taxes.



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OUT OF THE BOX

BAN ON MEDICINES - WILL INDIA
EVER SYNCHRONISE WITH THE WORLD?



A multitude of drugs that are banned in other countries, due to their side effects, continue to be sold in India. This brings the effectiveness of healthcare regulatory bodies in the country into question.



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IN FOCUS

FIGHTING TOBACCO ABUSE:
IS BANNING E-CIGARETTES
THE ANSWER?

The e-cigarette ban is defined by sheer absurdity and other drawbacks.



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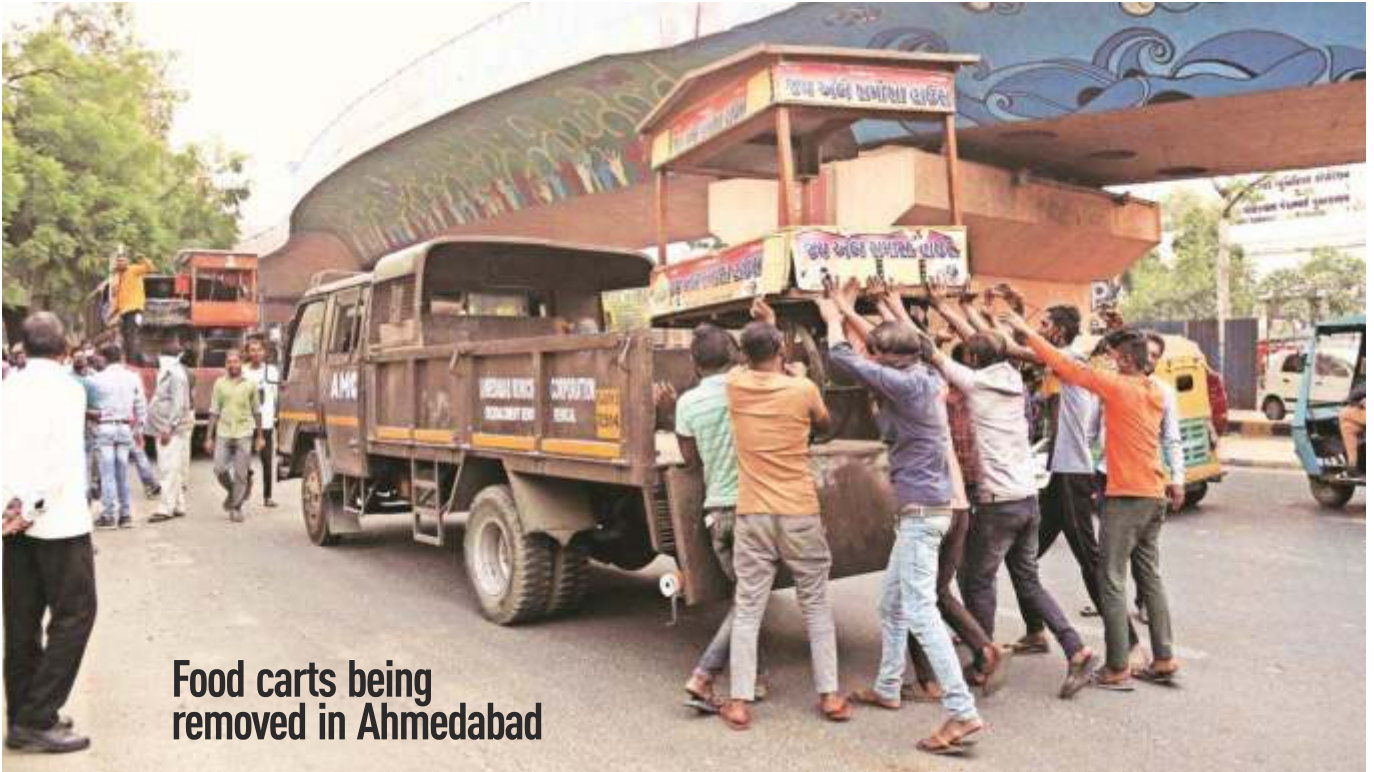


ARUN SINGHAL, IAS
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The FSSAI has banned the sale and advertising of junk food in and around 50 metres of school premises. Kitchens and canteens in schools now need a license from FSSAI to operate. This is a first-of-its-kind regulation brought under the Food Safety and Standards Act and aims to introduce wholesome food to school-going kids.



ROUNDUP



Food carts being removed in Ahmedabad

Can the Government Decide What People Will Eat On The Road?

The right to choice of food is under question with food carts being banned in parts of Gujarat for selling non-vegetarian food. With this kind of food policing taking place, what will be next?

DATA BRIEFING



Research shows 70 to 80 percent Indians eat meat, in Gujarat

40%
eat non-veg food.

IN NOVEMBER 2021, the civic bodies of Rajkot, Vadodara, Bhavnagar, Junagadh and Ahmedabad banned the display and sale of non-vegetarian food openly on the roads. The Ahmedabad Municipal Corporation has clearly restricted stalls from selling meat, fish and eggs on main roads and within 100 metres of schools, colleges and educational institutes.

With the civic authorities instructing the food cart operators to either stop selling these items or cover them so that people do not have to look at them, there have been cases of crackdowns on the hawkers and seizures of their food carts.

The ban was instituted based on complaints from the citizens about 'the sight of meat and eggs offending the religious sentiments of Hindus', 'the unpleasant smells' and even 'negative impact on minds of young children' apart from 'health concerns'. Some even claimed that this is 'against Gujarat's identity and Karnavati city's cultural tradition'. As the mayor of Rajkot told the media, "Carts with non-vegetarian food can be seen everywhere in the city. The

religious sentiments of the people are hurt by this."

However, the consumers are less than pleased! Dhara Patel, a 20-year-old engineering student, who is missing eating minced eggs at the roadside stalls near her college, raged, "Why does the government have a problem if we want to eat eggs?"

Following the unexpected backlash from the community, the state government shifted stance by calling the drive a move against road encroachments which hinder traffic and block pedestrians.

But, did the authorities pause even a moment to consider the livelihoods of the street vendors before issuing such a bland directive? Most of them are migrants from Uttar Pradesh, Bihar and Odisha and belong to the lowest rungs of the economic ladder. There are at least 6,000 food cart sellers in Ahmedabad alone who mostly sell eggs, but are now forced to work as daily wage labourers. Many of them even started protesting outside government offices.

Hearing a petition from the vendors whose carts were seized without any official order, the Gujarat High Court

reprimanded the Ahmedabad Municipal Corporation that the encroachment removal was a guise for targeting non-vegetarian item sellers. However, the court merely instructed the authorities to release the confiscated goods and materials.

While the local governments have relented on the coercive action and agreed to allow the food carts to resume business, the ban has not yet been rescinded formally.

It should be noted that the Supreme Court had ruled in an earlier case that, "What one eats is one's personal affair and it is a part of his right to privacy which is included in Article 21 of our Constitution". However, the same apex court had also upheld a ban on the sale of eggs in Rishikesh, Haridwar and Muni Ki Reti in deference of the religious and cultural demands of large number of residents and pilgrims who visit regularly!

Will the people of these cities get to enjoy eggs and chicken on the roadside once again? Will the vendors get back their livelihood? Everything depends on the whims and fancies of the government....



The display and sale of non-vegetarian food openly on the roads is banned.



Boom or Not to Boom?

BANNING OF FIRECRACKERS

Why are we prone to imposing drastic decisions in an abrupt manner? Does a ban on firecrackers just a few days before Diwali sound just or even democratic? Isn't it just an open invitation for the black market to swing into action!

EVERY YEAR AROUND Diwali, there is a boom of a different kind - states and union territories issue varied directives restricting the use of firecrackers. This is usually in accordance with the Supreme Court ruling in October 2018 which banned the use of barium salts in firecrackers and stated that only items 'with reduced emission and green crackers' would be permitted to be manufactured and sold on Diwali days or on any other festivals'. Even 'joined crackers' like laris are banned while the noise generated from firecrackers has to be within permissible limits. Online sale of crackers is also banned in India.

The apex court has laid down the timings for the bursting of firecrackers - only between 8 and 10 pm on Diwali and only between 11.55 pm and 12.30 am on Christmas Eve and New Year's Eve. Then again, people are allowed to burst crackers during these timings if and only if the ambient air quality in their city is not 'poor' or worse. In fact, the Supreme Court had also stated last year that the celebrations cannot be at the cost of citizens' health.

While some states and union territories regulate the use of firecrackers, some ban them completely. Notable among them is Delhi which put a blanket ban on the sale and use of firecrackers in view of the city's deteriorating air quality. Even Haryana, Punjab, West Bengal, Rajasthan and Assam banned the sale and use of firecrackers.

The question arises: Do we have the proper

mechanism to check the use of banned fireworks and ascertain whether those being sold are actually 'green'? Why doesn't the government strengthen the procedures to stop misuse? For that matter, do such complicated conditional bans make sense? For instance, is the two hour window for bursting crackers even plausible?

Meanwhile, despite the ban in certain districts or entire states, the black market has sprung up as usual. Smuggling is particularly rampant in the national capital, with bootleggers - ranging from local shop owners to auto-rickshaw drivers - willing to procure both traditional and non-traditional types of firecrackers and deliver them right at the doorstep!

Why doesn't the Supreme Court or the government spare a thought for the legitimate interests and livelihoods of people working in the fireworks industry? Before placing a blanket ban, the authorities should institute proper alternatives for the employees. And what about the huge losses faced by manufacturers and dealers, following the abrupt announcements, for no fault of their own?

Planning a clear timetable of transition to less-polluting crackers over a couple of years will be a more prudent and effective approach. Why not use taxation and public education to promote moderation among the consumers rather than imposing bans?

Otherwise, those who violate the firework restrictions every year will merrily continue to do so and the atmosphere will continue to get more polluted! ▶

Bureaucrats Denied Access to



Did you know that central government officials are barred from using Gmail and other private email networks for official communications? This move followed reports of cyber snooping by the US government.

IN 2015, THE central government notified the 'E-mail Policy of Government of India' and 'Policy on use of Information Technology Resources of Government of India' stipulating that only the e-mail services provided by National Informatics Centre shall be used for official communications. This is applicable to all central government employees, employees of those state governments/ UTs who use email services of the centre and those states that choose to adopt this in the future.

Therefore, the use of third party email service providers like Gmail, Hotmail and Yahoo is officially banned for all government use. The ostensible reason for the restriction is concerns over data and privacy breaches as these private email networks park their data on foreign servers. It has indeed become imperative to safeguard critical and sensitive government data amid growing cyber surveillance and spying by the American government.

The aforesaid policies brought in measures to ensure secure access, proper usage and also prevent misuse of

the IT resources of the government. This includes blocking of inappropriate content or that which can lower the productivity of the officials. Meanwhile, NIC is also empowered to monitor online activities of the users, even to the extent of accessing, reviewing, copying and deleting any emails, files or internet history for 'security related reasons' on official computers

after intimidating the user. Social media access has also been limited with high security settings and restrictions on posts and comments.

However, the fact remains that many of the babus in every government department – including senior officials - continue to use Gmail and other email IDs as emails sent

through their official NIC IDs either get delayed or bounced. The government should make its official platform reliable and secure to encourage the more than five lakh government officials to use it exclusively.

Yet, is the blatant monitoring of bureaucratic online activities even justified? ▶



Consumers, Beware

Flying Under the Ban Radar

India is an expert at banning things, at times even without any plausible rhyme or reason. However, it is surprising to note that many items banned by developed countries are still freely available in our country.



Things that are banned abroad but not in India

OUR LIST OF bans keeps getting longer and longer. It seems as if the government simply bans anything that it does not understand or fails to control. There are umpteen books and movies that have been banned for their controversial, explicit or debauched content.

While keeping a track of everything that is legally prohibited in the country is quite a tall order, there are also a whole lot of products that escape the ban net despite being prohibited across the world. Let us take a look at some of these products that we use day in and day out in India:

Lifebuoy soap – One of our favourite bathing soaps is banned in many countries as it is considered hazardous to the skin. It is apparently allowed to be used only on certain specific animals abroad. However, this soap is not only openly advertised in India, but also happens to be one of the top-selling bathing products.

Jelly sweets – This sweet sugar candy is banned in USA, Canada and Australia on account of the threat of sticking to the throat and causing choking in youngsters. However, they are widely eaten by our children sans any care shown by the authorities.

Kinder Joy chocolate – You can be fined up to \$2,500 for carrying this egg-shaped chocolate pack to the United States. Fact of the matter is that the toy inside is officially banned in the USA because of the potential choking hazard. However, it is a favoured pick of children in India and is freely available for purchase.

Red Bull – This popular energy drink that is considered elite by Indians happens to be banned for those under 18 years of age in Denmark, France and Lithuania due to the side effects like hypertension, depression, heart troubles and convulsions. Similarly, Mountain Dew and many other citrus flavoured sodas are banned in multiple countries because of the presence of Brominated Vegetable Oil (BVO) as an ingredient that can lead to side effects like fatigue, thyroid, reproductive and behavioural problems.

Pesticides – Pesticides like DDT, Endosulfan and more than 60 others that are sprayed on plants are strictly banned in foreign countries. They are known to cause severe health issues after entering the human body through plants. However, India prefers to turn a blind eye to the potential risks and they can be easily bought and used in the country.

Unpasteurised milk – The presence of harmful germs and other microorganisms in raw milk and other unpasteurised dairy products that can cause serious side effects has led to a ban in the United

States and Canada. However, India seems to be averse to the potential risk of food borne illnesses caused by salmonella, listeria and other bacteria.

Maruti Suzuki Alto 800 – One of India's much-loved automobiles in the budget segment has actually failed to comply with a string of safety tests and guidelines, leading to an outright ban in many countries across the world. Even the now out-of-production Tata Nano was banned in several countries as it failed to pass the Global NCAP crash test.

Vicks VapoRub – We don't think twice before swathing our nose and throat with Vicks to get instant relief from cold, cough or congestion. Little do we know that one of the ingredients in this vaporising ointment can cause dangerous side effects and has led to its ban in many European and North American countries.



Medicines – D-Cold Total is harmful for the kidneys, Nimulid can damage the liver and even the commonly used Disprin fails to meet international standards causing them to be strictly banned in various countries. However, these medicines for cold, pain and headaches are openly advertised and sold across India. In fact, there are many other such medically and legally dangerous medications which are widely used in our land.

Honey – Branded honey sold in India was found to be contaminated and contained high levels of harmful antibiotics. While most of the developed countries have banned or strictly regulated antibiotics in honey, there is no such law in India as yet.

While keeping a track of everything that is legally prohibited in the country is quite a tall order, there are also a whole lot of products that escape the ban net despite being prohibited across the world.

Conclusion

It is scary to see how the government prefers to throw caution to the winds and does not outlaw many products that are considered outright risky by the rest of the world. Don't they care about what the companies are manufacturing, what the people are buying and what is happening to the health of the consumers?

On the other hand, the authorities continue to give weightage to age-old conventions and even ban things to appease absurd protests in the society. As consumers, we have no choice but to stay updated on the risks of various products and exercise due caution on our own! ▶

PROHIBITION OR REGULATION:

Which is a Better Approach to Save the Environment?

Governments are taking varied measures – read: bans and regulations - to address the growing consequences of climate change. We take a look at some of the most effective and interesting environmental policies emerging around the world. How well the countries fare on the environmental democracy index hints at the effectiveness of implementation!



HUMANS ARE THE biggest enemies of the environment. Our unrestricted activities impinge on the natural ecosystems and leave ugly marks on the air, water, soil and more. There is pollution, contamination, depletion of natural resources and what not. We are witnessing the catastrophic effects of climate change all around us. This impacts our health, quality of life and livelihood as well. It also affects plants, animals and the planet in general.

The United Nations pronounced that if the damage to the climate is not reversed by 2030, it will be too late! Many countries around the world have been enacting laws and policies to raise awareness about environmental damage and institute safeguards for effective management of the environment. The legislations range from outright bans to procedures that regulate the use of resources and curb harmful practices among the citizens.

Here are some of the most notable environmental measures of recent times:

Vehicle emissions: We are adding more and more vehicles to the roads, leading to excessive traffic congestion and carbon emissions. The noxious fumes make the air difficult to breathe and lead to untold health issues. Many cities around the world are saying 'NO' to automobiles in different ways. While some have designated pedestrian-only spaces (Brussels and Ghent in Belgium), others even have special car-free days (Paris, New Mexico, Barcelona and Beijing). Switzerland and Croatia do not permit cars in some towns and islands respectively.



Meanwhile, France has instituted higher levies on high-polluting cars like SUVs. Amsterdam resorted to removing parking spots, restricting parking permits and even narrowing the streets. It plans to ban all gas and diesel vehicles by 2030.

Even New Delhi had experimented with the odd-even rule where private vehicles can be driven only on alternating days, depending on the last digit of their number plate.

Overfishing: According to the UN, almost 90% of the world's marine fish stocks are fully exploited, overexploited or depleted. This is because when we are fishing at a higher rate than the marine population can recover from, it breaks down the fragile marine ecosystem and affects the food chain in general.



Establishing marine protected areas is vital for restoring the ecosystem and fisheries in the oceans.

When the tiny Pacific nation of Palau that boasts of 700 species of coral and 1,400 species of reef fish became the victim of coral bleaching, it created a No-Fishing zone the size of Spain (630,000 sq.kms). Similarly, Australia's Great Barrier Reef also has a large network of no-fishing zones; fishing is banned in an area just smaller than England. Turkey, Brazil and some other countries have also designated such protected zones in their marine waters.

It should be noted that one hectare of ocean in which fishing is not allowed produces at least five times the number of fish as an equivalent unprotected hectare (Frontiers in Ecology and the Environment report, 2019). Furthermore, Palau has also banned some types of sunscreen that can harm the coral reefs and marine life.

Food waste: It is criminal to waste food; while millions go hungry around the world every day, tonnes of food also gets wasted and ends up taking precious space in landfills. Can we juxtapose the growing food insecurity with the fact that a third of the food grown around the world actually gets thrown out?



France is the first country to attempt to control food wastage by compelling supermarkets to donate the unsold food to charities, food banks and the needy. This adds up to 10 million meals for the hungry in France each year! Places that throw away or intentionally spoil food that is approaching the best-buy dates are subject to stiff fines. On the other hand, Italy gives tax breaks to businesses that donate food to charities instead of letting it end up in dumpsters.

Peskiness of pesticides: Many commonly used pesticides are dangerous to humans and the environment. They can have long-term health impacts and even turn lethal on occasion. The same are known to pollute the soil, water and air as well. While many pesticides get banned in different countries only when



clear links to human health come to the fore, the European Union is famed for being exceptionally quick at banning nasty and toxic pesticides. It has even banned certain pesticides that are harmful to bees and birds!

End of coal: Coal is considered the biggest culprit of climate change. The unrestrained use of coal is polluting the atmosphere, raising global temperatures and also damaging human health.



Countries around the world are taking measured steps to restrict or even eliminate the use of coal. Recently, more than 40 countries committed to shifting away from the world's most polluting fossil fuel, including five of the top 20 coal power-using countries. Banks and other institutions are also pledging to end support for coal plants.

Europe and USA have already defeated numerous new coal-fired power plants while others are slated for retirement. Scotland has already closed its last coal plant while Vietnam cancelled all its coal ventures.

Rights of the Nature: Bolivia crafted 'the landmark law of Rights of Mother Earth'. It grants the planet the same rights and protections as humans - including clean air and water, pollution-free ecosystems and biodiversity. This radical conservation and social measure allows the government to monitor and control industry in the country.



Following this, some other countries have also declared the ecosystem as a living entity and codified laws to protect and preserve the natural environment. New Zealand granted legal status to its Whanganui River and Australia to the Yarra river while Columbia considers the Atrato river and the Amazon as a person in the eyes of law. In India, the Ganga and Yamuna rivers have legal rights and protections while Bangladesh proclaimed all its rivers to be alive and entitled to legal rights. Ecuador actually amended its constitution to include nature's rights. Many communities across the United States have also codified their own rights-of-nature laws.

Plastic: Plastic has become the face of the environmental crisis and almost every country is trying to ban it in some form or the other to protect the oceans and the planet in general. The targets are mostly single-use plastics, especially plastic bags.



The ban on most single-use plastics will take effect from July 1, 2022.

In India, people are seen carrying bags of other materials, mostly cotton for their daily routine and shopping.



A 2019 UN Environment report reveals that at least 127 of the 192 reviewed countries are regulating the use of plastic bags – from outright bans to progressive phase-outs to incentivising the use of reusable bags. 180 countries have pledged to help reduce the amount of plastic in the ocean.

Some of the most effective plastic bans include ban on microbeads in the USA; total ban on lightweight plastic bags in Bangladesh; ban on straws in Britain; ban on plastic cups, plates and cutlery in France; ban on manufacture, use, import and sale of single-use carrier bags in Rwanda, etc. The latter has become one of the cleanest nations on Earth. Kenya is deemed to have the strictest law with fine of up to \$38,000 or up to four years in prison for anyone found to be selling, manufacturing or carrying plastic bags.

According to a 2019 study on 'Where are Plastic Bags Banned Around the World', shoppers collectively use around 500 billion single-use plastic bags every year. It also reveals that plastic bags are banned in 32 countries, 18 of which are in Africa. While many

of the nations are marked by poor enforcement, some have actually introduced lucrative and natural alternatives to plastic which makes the bans more effective.

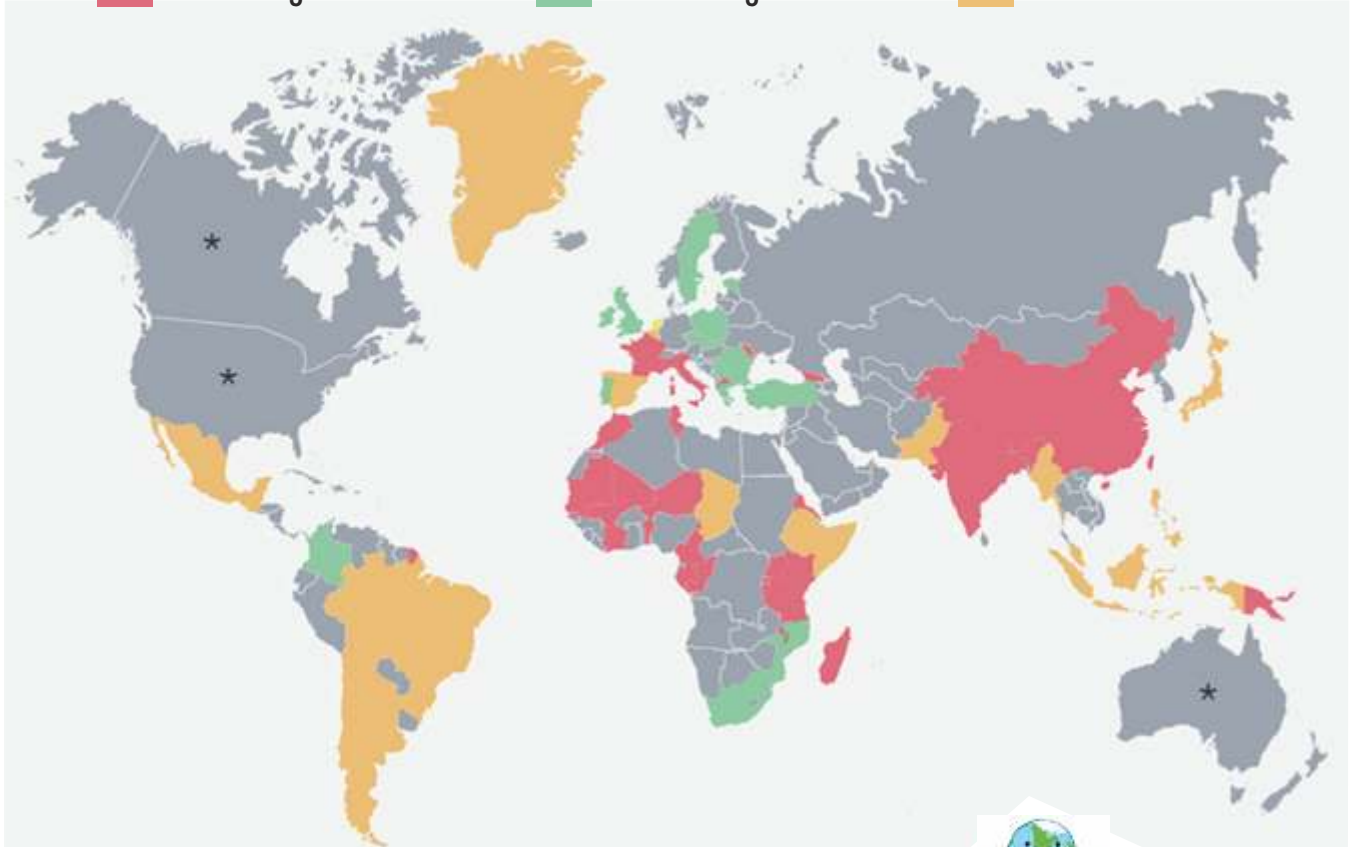
Environmental Democracy Index

The World Resources Institute (<https://www.wri.org/>) launched the Environmental Democracy Index (EDI) in 2015 – this is the first-ever online platform that tracks and scores the progress of 70 countries in enacting national laws that promote transparency, accountability and citizen engagement in environmental decision-making. This is based on the perception that consumers have a right to be involved in environmental decision-making and should be able to challenge decisions that disregard human rights or harm ecosystems. The analysis, based on 75 indicators, identifies the best and worst countries for environmental democracy (refer Image 1).

Going by Image 2, public participation and access to information is actually the defining factor for compliance with the rules and regulations. With the United Nations

Where are plastic bags banned or taxed around the world?

Plastic bags banned Plastic bags taxed Partial ban or tax



Data via Wikipedia; assembled by ReuseThisBag.com

*Note: Bans/taxes exist in certain states and provinces in the U.S., Canada, and Australia



TOP 10 COUNTRIES WITH STRONG ENVIRONMENTAL DEMOCRACY LAWS


LITHUANIA	2.42	UNITED KINGDOM	2.14	
LATVIA	2.31	HUNGARY	2.12	
RUSSIA	2.25	BULGARIA	2.10	
UNITED STATES	2.16	PANAMA	2.02	
SOUTH AFRICA	2.16	COLOMBIA	1.99	

IMAGE 1: Tracking national laws that protect environmental democracy



65

of the 70 countries enacted some legal provisions providing for rights to environmental information



29%

of the countries assessed have no requirements on the timely release of environmental information



46%

of the countries assessed did not provide any ambient air quality data online for their capital cities.



79%

were found to have fair or poor public participation provisions enshrined in law



5

of the top 10 EDI countries are Aarhus signatories




4%

of EDI countries provide opportunities to participate early during the scoping or planning stage of projects

IMAGE 2: Environmental Democracy Index Findings

www.environmentaldemocracyindex.org/

 WORLD RESOURCES INSTITUTE

stating that all countries have implemented at least one environmental law, the real question is about enforcing them properly and getting people to actually follow them!

Conclusion

The world is doing its best to save the environment for the future. We should take lessons from the disastrous

experiences of certain countries with bans and proceed on a cautious rather than an alarmist approach. It is evident that gaining consumer support and participation is imperative for the success of any policy. Moreover, all the countries should focus on harmonising their laws and standards to promote universal quality and safety in the interest of the public and the environment. ▶



#65YearsOfSuccess

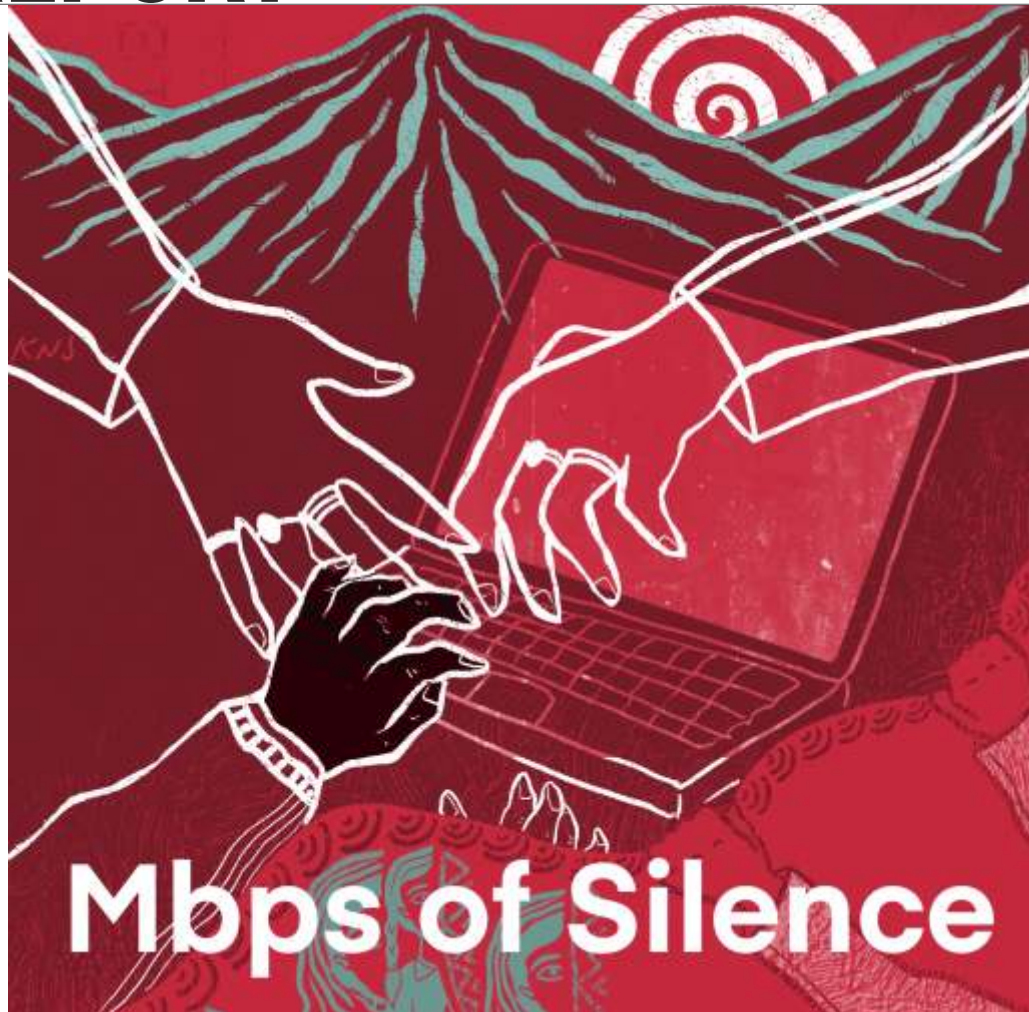
65th Anniversary

Thank you to everyone who has helped make this possible.
We hope to continue serving you for many more years to come.



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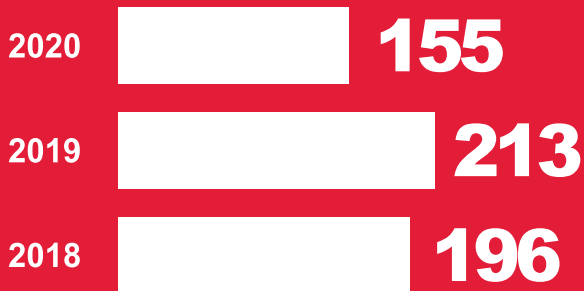
Banning citizens from the internet and plunging them into digital darkness: How is it justified?

Internet Censorship in India:

Splintering the Information Highway

Internet shutdown is a draconian step that deprives the people of basic open, secure, accessible and reliable internet services. Global reports mark India as consistently shutting down the internet more than any country in the world! Moreover, website blocking seems to be random, with, how they are blocked and why remaining a closely-guarded secret of the government and telecom providers. There's more censorship on the anvil as the new IT rules are designed to suppress internet content.

Documented internet shutdowns by year



Number of countries that shut down the internet

29
in 2020

Africa: 10
MENA: 8
Asia Pacific: 6
LatAm and the Caribbean: 3
Europe: 2

33
in 2019

Africa: 12
Asia Pacific: 9
MENA: 8
LatAm and the Caribbean: 2
Europe: 2

25
in 2018

Africa: 10
Asia Pacific: 8
MENA: 5
LatAm and the Caribbean: 1
Europe: 1

* It is important the international community does not prematurely celebrate the lower number of shutdowns in 2020. Although it would take extensive research to investigate the underlying factors, it is possible this decline can be attributed to the peculiar realities of the year.

Impact of shutdowns in the COVID-19 pandemic

100 million

people were in a national internet blackout for more than two weeks in Ethiopia during the height of the COVID-19 pandemic in the country.

355+ days

of shattered and throttled internet and telecommunications affected nearly one million residents of the Rohingya refugee camps in Cox's Bazar, Bangladesh.

19 months

of mobile network restrictions impeded people from getting critical health information across nine townships in Myanmar's Rakhine and Chin states.

Every two weeks

people in Jammu and Kashmir endured yet another extension or new mobile network shutdown ordered by the administration throughout the year of 2020.

IMAGE 1: Internet Shutdowns in 2020: A Global Overview

THE INTERNET IS the lifeline of the world. An attempt to ban anything on the prolific world wide web can lead to inconceivable consequences. With governments getting called out for their authoritarian suppression of content on certain websites and social media platforms, a complete shutdown of the internet may seem implausible. However, the authorities seem to be indulging in such brutal censorship that not only infringes human rights but can also disrupt lives and livelihoods even as it hurts public health and safety.

The #KeepItOn campaign unites and organises the global effort to STOP internet shutdowns around the world. It is growing rapidly with more than 243 organisations – including research centres, rights and advocacy groups, detection networks, foundations and media organisations – from 105 countries having joined the movement. This is part of the ongoing efforts of Access Now (a non-profit organisation that defends and extends the digital civil rights and privacy of people) to help the community track network disruptions and censorship, identify trends over time and collectively strengthen our global fight against shutdowns. The coalition is documenting data on the internet shutdowns taking place annually around the world along with their devastating impacts on people and communities.

According to the latest 2020 report on 'Shattered Dreams and Lost Opportunities: A Year in the Fight to #KeepItOn', there were at least 155 internet shutdown incidents around the world in 29 countries (refer Image 1). The incidence may be lesser than in 2019, but they lasted longer for sure!

A digital privacy and security research group, Top10VPN determined that internet disruptions lasted 49% longer in 2020 as compared to 2019.

It should be noted that 2020 was the first year when the COVID-19 pandemic swept through the world and the internet became a vital tool for people to communicate, study and earn a living during the spate of lockdowns. However, millions of people were deliberately cut off from life-saving health information and work opportunities.

It is totalitarian and tyrannical regimes which are associated with shutting down the internet to silence protests, sway elections, hide human rights violations and bargain with other bad actors. Access Now campaigner, Felicia Anthonio stated, "Internet shutdowns violate human rights and they are being used against marginalised groups around the world. Switching off the internet means a total disruption of daily activities, their rights and their lives."

However, India happens to top the global shame list for the third consecutive year – it imposed the lion's share of these internet shutdowns (109 times) across districts and even states. This was followed by Yemen with six shutdowns and Ethiopia with four. (refer Image 2 and 3). Shutting down the internet costed the world economy \$4 billion, of which nearly three quarters was incurred by India alone!

The reasons cited by the authorities in different countries for the internet blackouts ranged from political

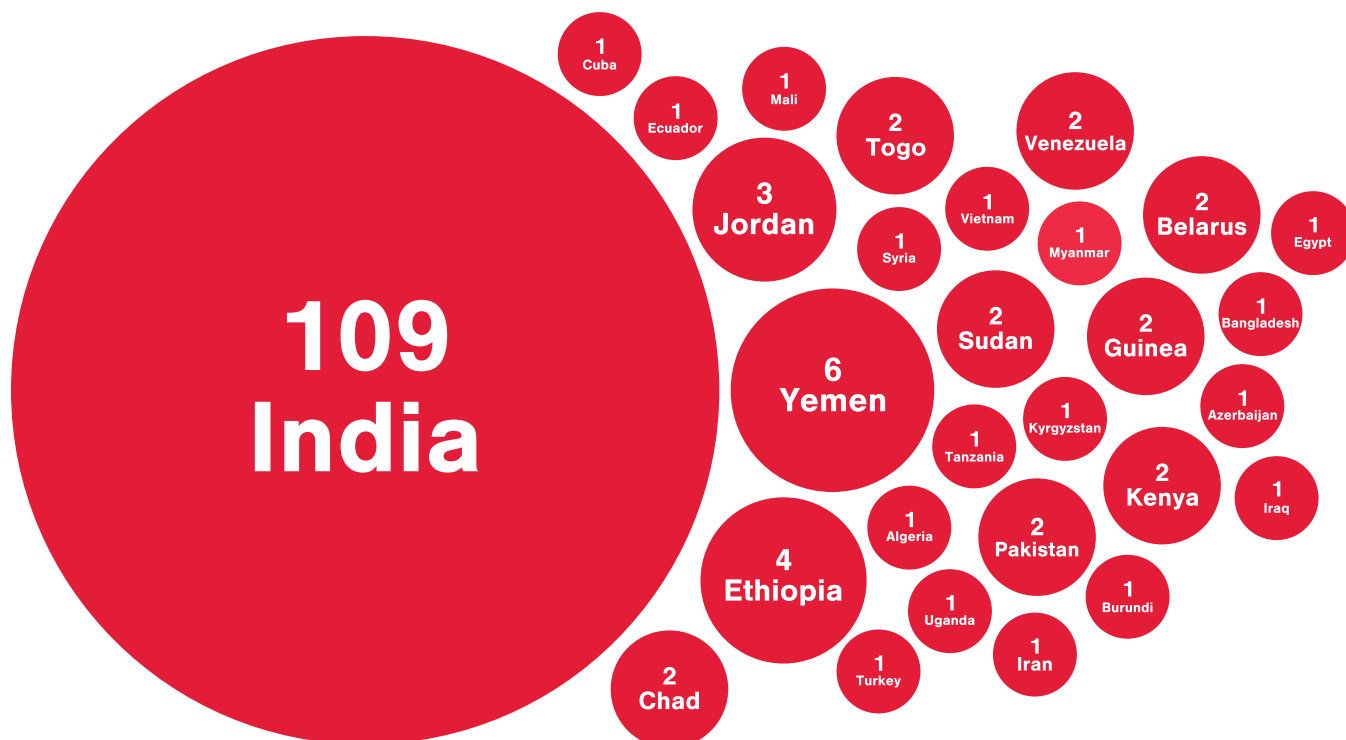
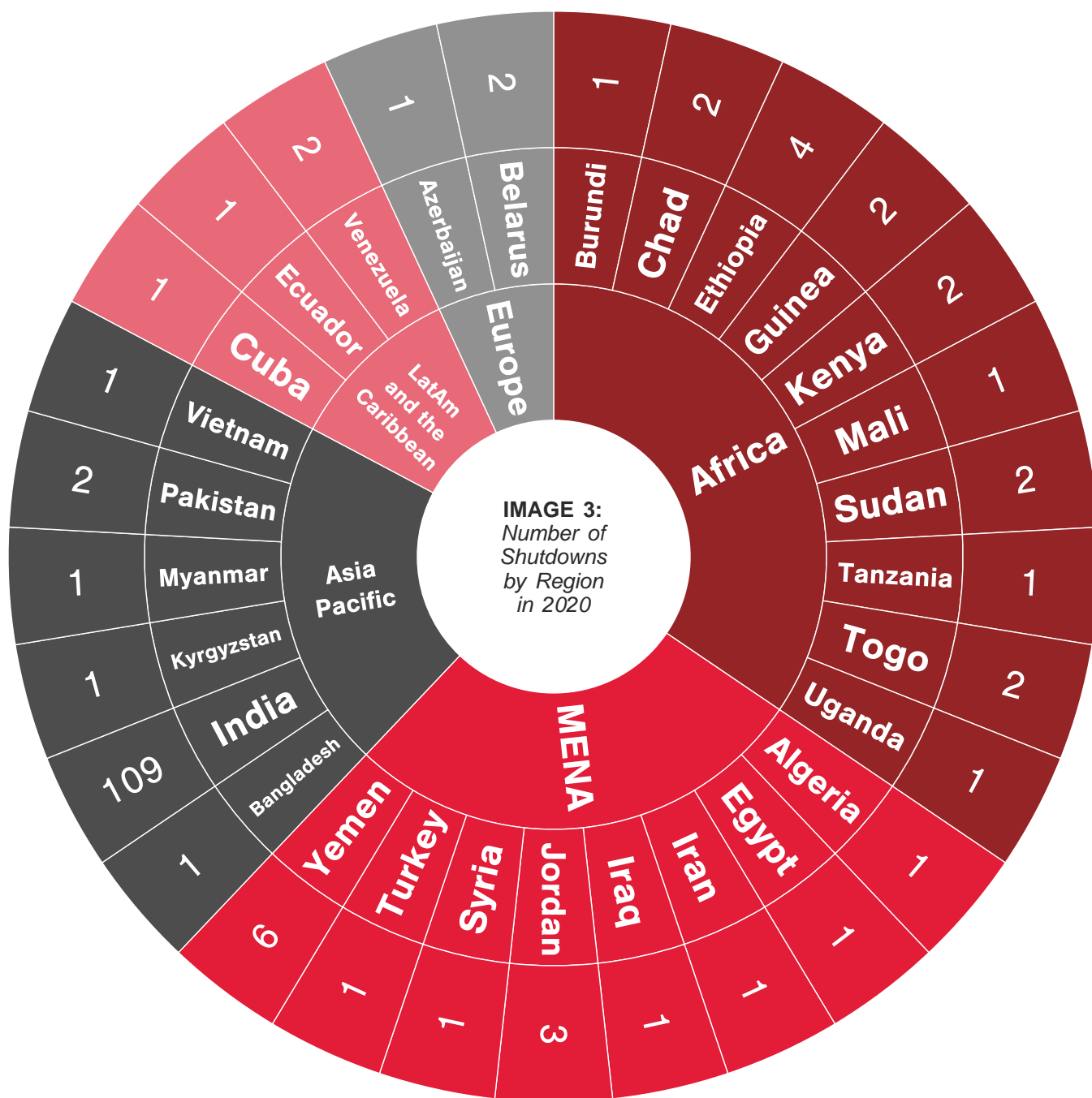


IMAGE 2: Number of Shutdowns by Country in 2020



instability and elections to protests, communal violence and even cheating during exams (refer Image 4 and 5). The internet was also shut down to combat fake news, violence-inciting hate speech and other content moderation issues.

What's happening in Kashmir?

India had instituted a virtual communications blackout in Jammu and Kashmir on 5th August, 2019 when it abrogated the state's special status and split it into two

union territories. This became a perpetual, punitive shutdown lasting 175 days; only 2G internet services were restored in January 2020 with access to only certain 'white-listed websites'. This was also cut off many times and 4G mobile internet was restored after a total of 18 months on 5th February, 2021.

There were other reasons for shutdowns in 2020 – like the curfew-style blackout in West Bengal during the secondary school examinations; internet was cut off every day during certain hours for more than nine days. This contradicted the Rajasthan High Court's warning to the

India



The rest of the world

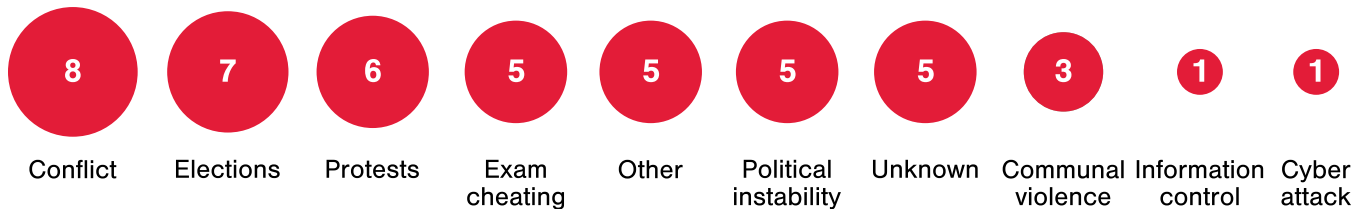


IMAGE 4: Ranking of Actual Causes of Shutdowns in 2020

India 10

Guinea 2

Belarus 1

Burundi 1

Kyrgyzstan 1

Tanzania 1

Togo 1

IMAGE 5: Governments that shut down the internet during elections in 2020

In a landmark decision in January 2020, the Supreme Court ruled on the Kashmir case declaring that shutdowns interfere with the fundamental right to freedom of speech and expression and the right to life and liberty, that shutdown orders must be publicly available, and that indefinite shutdowns are unconstitutional. It also recommended that the existing Network Suspension Rules, 2017 should be modified.

However, the ruling failed to provide immediate relief; the authorities continued the blackout by keeping 3G and 4G services blocked, banning access to social media sites and maintaining a 'whitelist' of websites that residents in the affected areas could access.



Internet shutdown: India's tool to thwart protests and suppress dissent?

state government that internet shutdown during exams was beyond the scope of the Temporary Suspension of the Telecom Services (Public Emergency and Public Safety) Rules. Manipur actually shut down the internet for three days fearing that 'rumours spread over social media' may lead to clashes between two villages over a land dispute!

Looking Back

The 2019 #KeepItOn report on internet shutdowns, 'Targeted, Cut Off, And Left In The Dark' documented 213 internet shutdowns in more than 33 countries in 2019. India topped the list with a staggering 121 incidents of shutdowns (refer Image 6).

Many of the states ordered shutdowns to quell nationwide demonstrations and other protests against the Citizenship (Amendment) Act and proposed National Register of Citizens.

On 19th September, 2019, the Kerala High Court ruled that the 'Right to Internet Access' is a fundamental right. It declared that the right to have access to the internet becomes a part of the right to education as well as the right to privacy under the Constitution of India.

Similarly, in 2018, India was responsible for 134 of the total 196 shutdown incidents imposed globally according to the 2018 #KeepitOn report on 'The State Of Internet Shutdowns Around the World'.

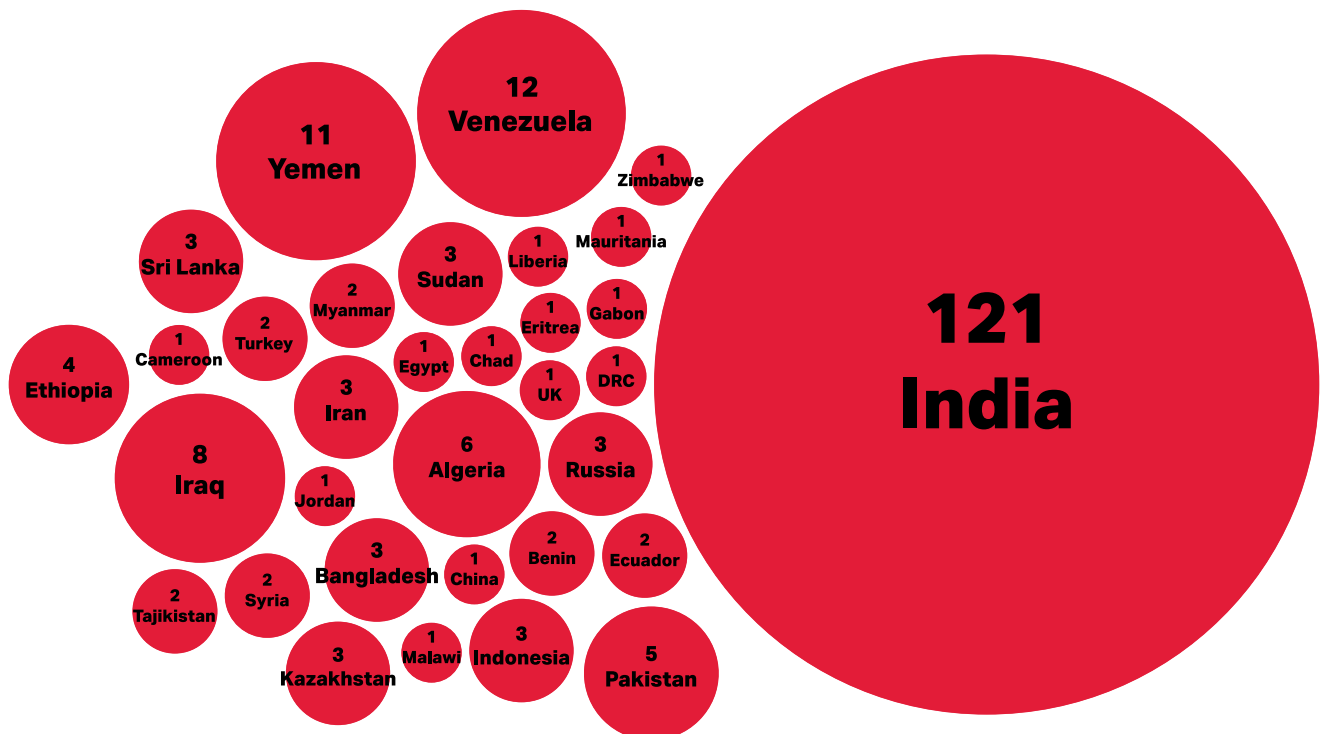


IMAGE 6: Number of Shutdowns by Country in 2019

The Trend Continues

2021 looks no better with #Keepiton documenting at least 50 internet shutdowns in 21 countries between January and May itself. Another source pegs that India had leveraged internet blackouts around 44 times in the whole of 2021 (refer Image 7).

While most of the shutdowns were allegedly imposed to 'curb misinformation' during the farmer agitations against the three agriculture laws, there were other issues like Rajasthan shutting down mobile data services when leaders of the Gujar community threatened mass demonstrations in a dispute with the state government over employment reservations for their 'backward class'!

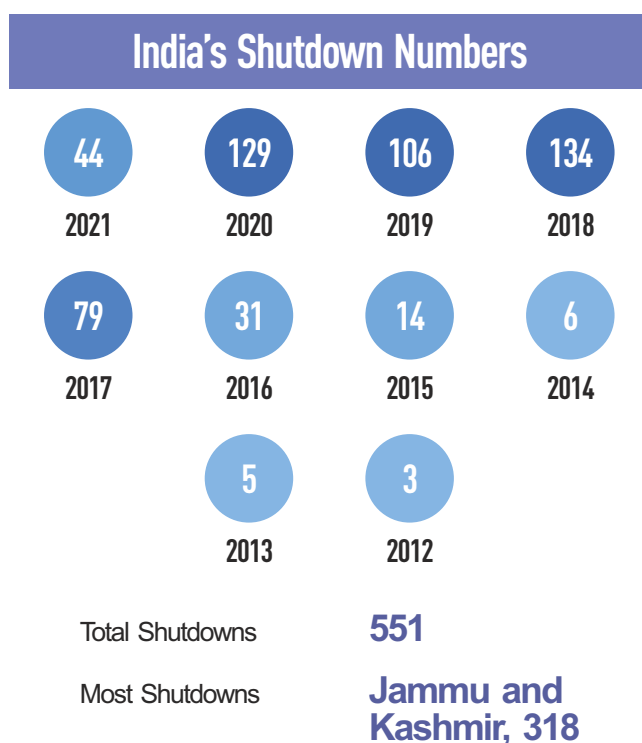


IMAGE 7: How many times has the internet been shut down in India? (Source: SFLC.in)

Opaque and Unaccountable Internet Filtering in India

Internet censorship in India is not just limited to controlling the flow of information online through shutdowns. The government even indulges in secretive and arbitrary blocking of specific websites.

The modus operandi is simple: the authorities merely order the Internet Service Providers (ISPs) to block access to certain websites for their users. Additionally, these website-blocking orders are usually not made available in the public domain and repeated attempts to obtain the complete list of blocked websites have failed. ISPs are actually mandated by regulations and licensing

requirements to maintain confidentiality of certain website-blocking orders issued by the Government. To the extent that even website owners whose content has been affected are unable to get adequate responses through RTI requests!

Without any procedural safeguards like notice, hearing or issuing a reasoned order, the internet users are not even aware of which websites are banned until they try to access them. While sometimes we may see a message that the website is banned, the browser usually just throws up an error. The illogical blocking of a satirical website and an environmental campaign website hints at the complete lack of coherence and transparency surrounding the blocking of websites.

An empirical study of web censorship in India, 'How India Censors the Web' (by Kushagra Singh, Gurshabad Grover and Varun Bansal) released in January 2020 demonstrates that Indian internet users can have wildly different experiences of web censorship! It compiled a list of 4379 potentially blocked websites from three sources:

- Published and leaked government orders issued under section 69A of the IT Act
- Court orders for blocking websites made public via RTIs
- User reports collected and published by the Internet Freedom Foundation

This is the largest study both in terms of number of censorship mechanisms that were tested and the number of potentially blocked websites. The websites were checked from six different ISPs (Jio, Airtel, Vodafone, MTNL, BSNL and ACT Fibernet), which together serve more than 98% of internet users (657.46 million) in India.

It reveals that the ISPs employ different techniques – like DNS poisoning and HTTP host inspection – to block websites (refer Image 8 and 9). Jio even uses Server Name Indication (a Transport Layer Security extension) to block HTTPS websites, a mechanism which is undocumented in the Indian context.

ISP	DNS	TCP/IP	HTTP	SNI
ACT	✓	✗	✓	✗
Airtel	✓	✗	✓	✗
BSNL	✓	✗	✗	✗
Jio	✗	✗	✓	✓
MTNL	✓	✗	✗	✗
Vodafone	✗	✗	✓	✗

IMAGE 8: Censorship techniques employed by Indian ISPs

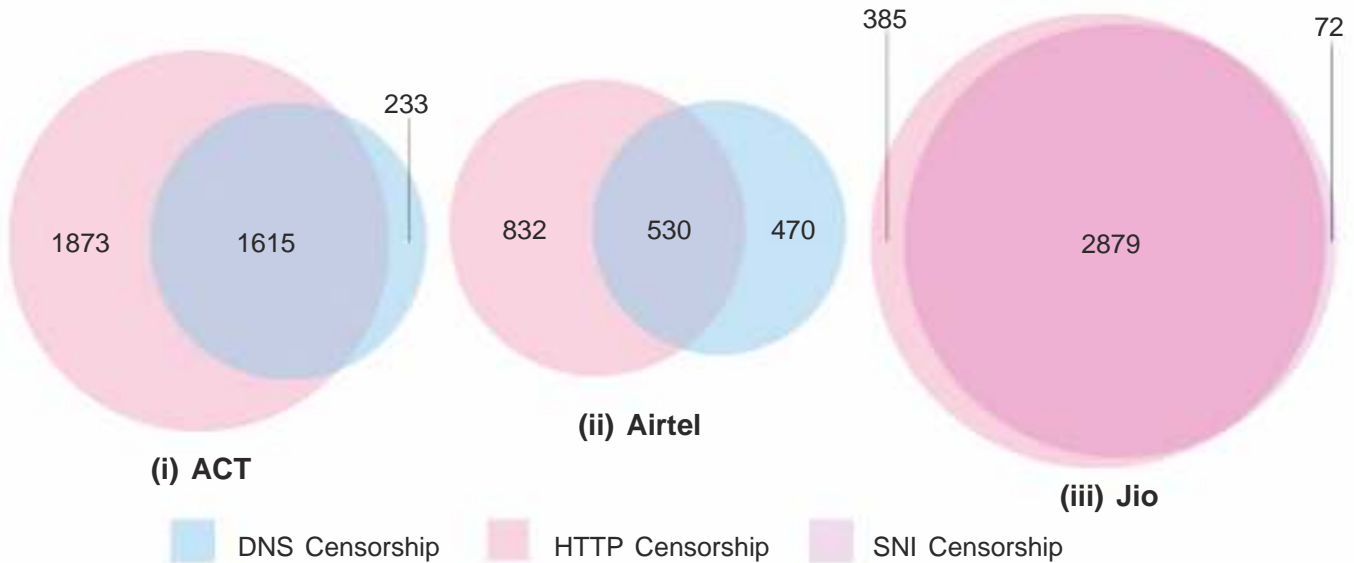


IMAGE 9: Censorship techniques used by (i) ACT, (ii) Airtel, and (iii) Jio for blocking websites. We notice the same ISP using multiple techniques for blocking different websites.

ACT	Airtel	BSNL	Jio	MTNL	Vodafone
3721	1892	3033	3340	3182	2273

Number of websites (out of 4033) blocked by ISPs

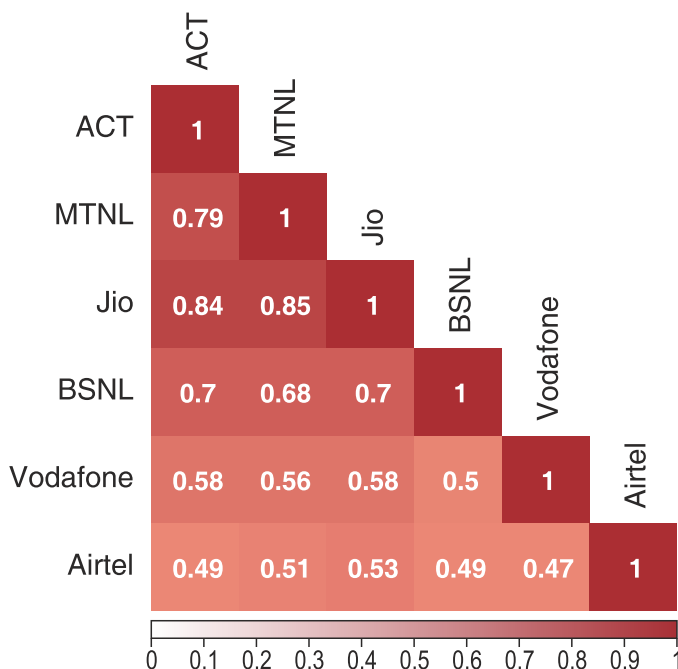


IMAGE 10: Heatmap illustrating the overlap of blocklists of different ISPs.

Moreover, different ISPs are not blocking the same websites. From the 4379 potentially blocked websites that were tested, 4033 appeared in at least one of the six ISP's blocklists. The inconsistencies become obvious as ACT blocks the maximum at 3721 websites while Airtel blocks only about half of this at 1892 websites (refer Image 10). Only 27.64% (1115 of the 4033 websites) are blocked by all six ISPs while 215 are being blocked by only a single ISP. For instance, ACT blocks 62 websites that are not blocked by another ISP.

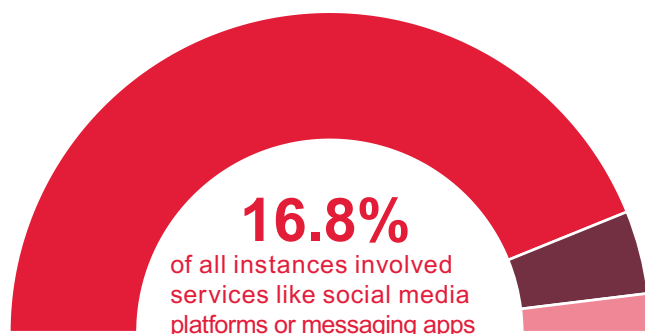
Therefore, it is obvious that ISPs in India are:

- not properly complying with website blocking (or subsequent unblocking orders) and/or
- arbitrarily blocking websites without the backing of a legal order

What's more, many of them don't or just can't serve censorship notices either.

Security researcher, Karan Saini compiled a list of over 5,000 websites that are blocked by ACT Fibernet alone. He points out, "There are hundreds of piracy websites and pornographic websites, but there are also websites of political leaders. There is the website of a CPI(M) leader which is blocked. There are a bunch of websites about Kashmir which are blocked. Websites maintained by some Sikh expatriates in Canada are also blocked." Another security researcher, Abhay Rana also shared a list of over 2000 websites that he found to be inaccessible on Airtel.

Types of network and service restrictions in 2020 ▾



- Shutdown: 87.74%
- Shutdown and throttling: 8.39%
- Throttling: 3.87%

Affected networks in 2020 ▾



- Broadband and mobile networks: 26.45%
- Mobile networks: 72.90%
- Unknown: 0.65%

India had instituted a virtual communications blackout in Jammu and Kashmir on 5th August, 2019 when it abrogated the state's special status and split it into two union territories. This became a perpetual, punitive shutdown lasting 175 days; only 26 internet services were restored in January 2020 with access to only certain 'white-listed websites'.



*Censorship by way of internet filtering –
The reality is unsystematic and secretive*

Other Issues

And the less said about the social media bans and censorship the better. Last year, during the shattering second wave of the COVID-19 pandemic, many consumers were posting about needing oxygen cylinders, ventilators and intensive care beds or reporting their shortages on social media. These were taken down by social media platforms like Facebook, Instagram and Twitter for their alleged 'inflammatory' content under orders of the government.

In fact, Twitter has been at loggerheads with the government for a long time over demands to take down posts by journalists and political opponents which run afoul of the government, be it for the handling of COVID-

19 or the farm laws. The microblogging platform also faced undue pressure to prevent flagging of manipulated content posted by the ruling party.

To add to this, the new Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules notified in February 2021 further impose onerous obligations on social media companies, digital news media and video streaming services to filter and take down content. The oversight mechanism allows the government to determine what stays online, thus giving legitimacy to biases and curtailing expressing of criticism and dissent.

In fact, the 11th edition of the 'Freedom of the Net' report (for the period June 2020 to May 2021) on the status of human rights on digital platforms criticises the Modi government for digital regulation, arbitrary internet shutdowns and also the new IT Rules.

Conclusion

Disproportionate interference by the state on the internet usage by the consumers infringes on the right to free expression of the consumers. How can a democratic community like India get away with terminating the consumers' ability to communicate and inform themselves just to accomplish some minor objectives? Then again, why is there so much vagueness about website censorship without any transparency or accountability? The government needs to re-evaluate the legal and technical mechanisms of internet filtering with a centralised database and proper mechanism for blocking and unblocking of websites. ▶



Stopping Use of Single-Use Plastics – Will the Upcoming Ban Be Enough?

India is joining the global fight against plastic pollution with, you guessed it right, a BAN on single-use plastics effective from 1st July, 2022. But will this move be effective in terminating our toxic love affair with plastic, or will it fizzle out like the previous bans due to lack of proper implementation and alternative products?



How ready are we to clean up our act?

IN AUGUST 2021, the Union Ministry of Environment, Forest and Climate Change (MoEFCC) notified the Plastic Waste Management Amendment Rules, 2021, prohibiting the manufacture, import, stocking, distribution, sale and use of 20 single-use plastic (SUP) items from 1st July, 2022. This includes plastic plates, cups, glasses, forks, spoons, knives, straws and trays along with earbuds, balloons, ice-creams and candies with plastic sticks; plastic flags; wrapping or packing films around sweet boxes, invitation cards and cigarette packets that are usually used only once before being discarded.

An expert committee was constituted by the Department of Chemicals and Petrochemicals (DCPC) to categorise plastic products based on two pillars – utility index and environmental impact. The corresponding 'Report on Single Use Plastics' recommended several products that are low on utility and high on environmental impact for an immediate phase out.

Utility Index-parameters (100)	Environmental impact-parameters (100)
Hygiene (20)	Collectability (20)
Product safety (20)	Recyclability (20)
Essentiality (20)	Possibility of end of life solutions (20)
Social impact (20)	Environmental impact of alternate products (20)
Economic impact (20)	Littering propensity (20)

It was further decreed that the thickness of plastic carry bags will be increased from 50 microns to 75 microns from 30th September, 2021 and to 120 microns from 31st December, 2022.

The Centre called on the states and union territories along with the central ministries and concerned departments to develop a comprehensive action plan to eliminate these SUPs and ensure effective implementation of the rules in a time-bound manner. The Central Pollution Control Board, along with state pollution bodies, is directed to monitor the ban, identify violations and impose penalties already prescribed under the Environmental Protection Act.

Why This is Not Enough?

It should be noted that the items listed for phase out are mostly manufactured by local, small and medium plastic manufacturers, who supply products without branding. They will be hit hard while the large industrial groups will hardly feel the pinch. What is the rationale for leaving the big corporations that mass-produce everything from furniture to multi-layered packaging unaffected?






STOP PLASTIC WHAT'S TO BE PHASED OUT

	NAME OF THE PRODUCT	UTILITY INDEX	ENVIRONMENTAL IMPACT
	Carry bags - thin (less than 50 microns)	32	84
	Non-woven carry bags and covers (less than 80 gsm and 320 microns)	21	87
	Straws / Stirrers	16	87
	Small Wrapping/ Packing films	22	84
	Cutlery: Foamed cups, bowl and plates	23	91
	Cutlery: Laminated bowls and plates (non-foamed)	25	88
	Cutlery: Small plastic cups/containers (less than 150 ml and 5g)	23	85
	Ear buds and plastic sticks for balloons, flags, candies etc.	17	89
	EPS for decoration	23	85
	Plastic banners (less than 100 microns)	22	64
	Cigarette overwrap film	46	62
	Disposable rigid cups, trays and containers	46	56
	Wrapping films for food applications*	64	56

*Only sweet boxes with wrapping films are listed for phasing out

STOP PLASTIC

WHAT'S NOT TO BE PHASED OUT

	NAME OF THE PRODUCT	UTILITY INDEX	ENVIRONMENTAL IMPACT
	Ccigarette filters (non-biodegradable)	20	93
	Small plastic bottle for drinking water (<200 ml)	26	79
	Plastic bottles for non-food applications	59	40
	Plastic bottles for food and beverage (more than 200 ml)	74	36
	Multi-layered packaging (more than 36 cm2)	81	73

Additionally, around 11 lakh Indians are employed in the processing of plastics whose livelihoods will be directly affected. The government has to provide options to the manufacturers before implementing the impending prohibition.

Coming to the glaring loopholes in the schedule of banned products, it has not considered many other SUPs that also have low utility index while leaving a high environmental impact as per the scores assigned by the study. This includes a range of SUPs generated by fast-moving consumer goods companies.

Let us consider plastic packaging (flexible and rigid) like food wrappers and wrapping films which is discarded within minutes or days of being used. According to the Plastic Recycling-Decoded report by the Centre for Science and Environment, a Delhi-based non-profit, plastic packaging contributes to almost 60% of the total plastic waste generated in the country. It follows that almost 60% of India's plastic waste has not been listed.

The ban has ignored multi-layered packaging even though it is estimated that about 47% of the global plastic waste can be attributed to multi-layered packaging waste. Does it make sense to exempt this packaging just because it doesn't have a readily available alternative?

The Ministry's statement merely stated that plastic packaging waste, which is not covered under the phase-out of identified single-use plastic items, should be collected and managed in an environmentally sustainable manner under the Extended Producer Responsibility (EPR) of the producer, importer and brand owner (PIBO),

as per the Plastic Waste Management Rules, 2016.

In other words, the producers are deemed responsible for the disposal of the packaging waste they produce after it is no longer useful to the consumers. However, continued non-compliance by PIBOs and weak enforcement by authorities has reduced the EPR policy to mere words on paper.

Then again, the SUP ban provisions will not apply to commodities made of compostable plastic. However, have the authorities considered the issues that will arise in the face of lack of clear labelling mechanisms to differentiate compostable plastics? What if the old stocks of 50-micron plastics are pushed into the market as 'compostable'?

Moreover, we seem to be overlooking the fact that this type of plastic calls for special industrial composting facilities created with a specific set of controlled parameters and India hardly has a handful of them right now. Meanwhile, the compostable versions end up contaminating the regular recyclable plastic. Unaware consumers blithely leave them in their compost pit or litter expecting them to break down on their own!

The government has allowed ten years for banning other plastic commodities that have not been listed for phasing out in this year. This translates into the industry getting the license to continue to pollute for another decade!

Coming to the Alternatives

While the consumers are expected to forego plastic usage, where are the guidelines for alternatives to the bags, straws and other items? Simply switching to paper is not feasible in the long run as it brings its own set of environmental concerns.

Why is the government not pushing for research and development in packaging designs and viable alternative products in terms of price, availability and longevity? Why are manufacturers not required to mark the type of plastic used so that it can be recycled appropriately? Why doesn't the government allow tax exemptions on eco-friendly materials to encourage their usage?

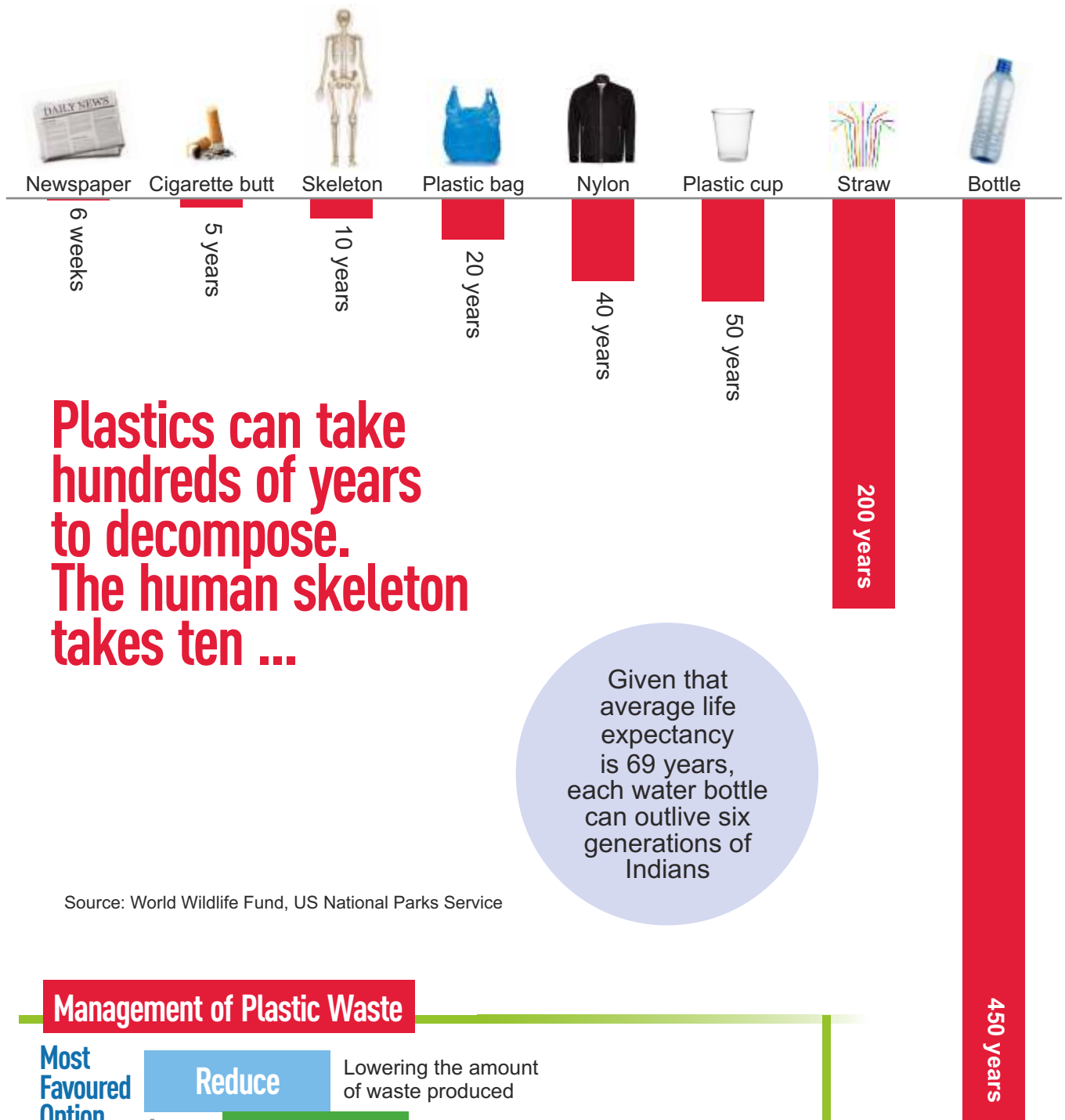
Recycling defines the way to a circular economy – but it should be made green and sustainable. For instance, we are primarily on a downcycling plane with high-quality plastics being recycled into new plastics of lower quality, thus hastening their progress to an imminent landfill!

Inculcating proper waste segregation practices is also crucial. We are defeating the purpose by disposing general and biodegradable waste together.

India's Tryst With Plastic Ban

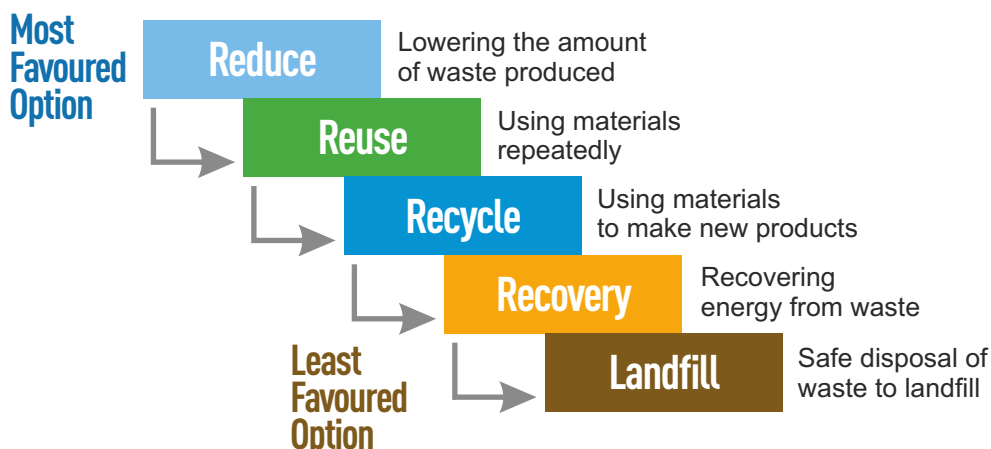
The Indian legislature has been toying with curbing the plastic perils for years; but the attempts are always half-baked at best with the rules being constantly diluted by new narratives and ill-conceived amendments.

Polythene bags with thickness less than 50 microns are already banned in the country. Another national ban on single-use plastics was announced in October 2019, only to fizzle out soon enough. Some states have



Source: World Wildlife Fund, US National Parks Service

Management of Plastic Waste





India needs a robust roadmap to weed out the environmental threat of plastics

introduced partial to complete bans on plastic carry bags, but a look at the street vendors and choked drains tells a different story altogether!

The 'Report on Single Use Plastics' also mentions that the guidelines on bans and other restrictions on plastic products issued by various state governments lack uniformity and vary widely in different parts of the country. An exception is the state of Sikkim which successfully banned plastic bags way back in 1998. Mass education campaigns and enforcement measures pushed citizens to accept the plastic bag ban.

"We stopped using it happily because we understood that it is good for us!" Prabha Sherpa, a store owner in Gangtok

Other states like Maharashtra, Odisha, Bihar, Uttar Pradesh and Tamil Nadu have also managed to ban some SUPs with limited success. Charging customers for bags while shopping is also bringing a gradual change in their habits. However, it boggles the mind that most governments seem to be limiting the SUP curbs to polythene carry bags alone!

Snowballing Plastic Crisis

Plastic is a wonder material that revolutionised modern life, making it possible to produce durable goods at the most affordable prices. But the dark side of this omnipresent product is that it takes centuries to biodegrade, which is now causing a lot of heartache to people and trouble to the environment.

Based on the Central Pollution Control Board's projection, India generates approximately 9.46 million

tonnes of plastic waste per year. While nearly 60% is collected and recycled, the remaining 10,556 tonnes remains uncollected, piling up in landfills and clogging the oceans which the sun cannot melt down and the rain cannot wash away! The ongoing pandemic has deepened the menace with an alarming rise in the use of disposable masks, sanitiser bottles and PPE kits.

More Than Lip Service

The only way out is to stop using plastic. While a blanket ban alone will not solve the crisis, it is still a big step forward and can bring India closer to its broader environmental agenda.

The government has to see it through with a structured approach. Strengthen the systems to enforce the ban across the industry and stakeholders with proper compliance on the ground. Tough measures should be accompanied by stringent monitoring mechanisms. Targeted campaigns and social engineering tools will make people aware of the concerns and alternatives to plastics.

Last but not the least; the timelines should be strictly adhered without any postponements in the face of pressures from the industry. It will only harass the consumers who always stand to suffer in the end.

Make note that other countries are defining the way with clear visions and strategies that are properly implemented to reduce SUPs.

Conclusion

The burden of change is on us – Reduce, Refuse, Reuse and Recycle! ▶



CLEANING UP OUR ACT – The Ban Way!

The trend of bans and restrictions is not just a farce. Nor is the government simply playing the moral police and restricting the freedom of the people. Many of the bans actually protect the people, animals, environment and even internet users.

BANNED FOR GOOD



Some bans can be good public policy!

ANY BAN THAT the government brings in, immediately becomes the object of ridicule in India. We have seen this time and again with food, movies, documentaries, books and even porn. The overriding notion is that bans restrict our freedom, but the fact remains that the government has imposed many bans that actually do a lot of good!

Let us take a look at some of the bans that make a lot of sense:

Ban on Child

Labour – Young children from economically weak backgrounds are forced to work and provide for their families. Thereby, they are deprived of the precious years of learning, bonding and exploring. The unwarranted toil takes a toll on their tender bodies and can affect both their physical and mental development. Additionally, it can lead to malnutrition or depression which will impact their future wellbeing.



Accordingly, Article 24 of the Indian Constitution clearly states that, "No child below the age of fourteen years shall be employed to work in any factory or mine or employed in any hazardous employment." The Child Labour (Prohibition and Regulation) Act of 1986 designates a child as a person who has not completed the 14th year of age. Yet, as per the 2011 census data, India had 10.13 million child labourers between the age of 5-14.

It was the Child Labour (Prohibition & Regulation) Amendment Act of 2016 which completely banned all forms of child labour under the age of 14 years, making such employment a cognizable criminal offense. This will permit them to enjoy the fundamental right to education. However, in accordance with the 'social fabric' of the country, there are exceptions for children working in family enterprises and as a child artist under certain conditions.

The amendment further barred employment of adolescents (between 14 to 18 years) in hazardous occupations and processes while regulating the working conditions where they are not prohibited. It also provides stricter punishment for violations.

Ban On Child Pornography – There can be nothing more appallingly horrendous than involving children in sexual acts. The Indian government bans the unspeakable crime of filming indecent images of the

innocent children under the Protection of Children from Sexual Offences Act, 2012. It unambiguously criminalises the use of children for pornographic purposes in any form of media, including the portrayal of child's sexual organs, the participation of a child in real or simulated sexual activities and the indecent or inappropriate portrayal of a child. This POSCO Act also provides for punishment for child pornography.

Additionally, under the Information Technology Act, 2000, publishing child porn or predating children online can lead to imprisonment. Watching, storing or promoting child pornography is also forbidden as a serious and heinous offense. The consent of a child is irrelevant under both the laws as a child is deemed unable to give consent.

This horrific social evil is actually a moral issue as well; the depravity can ruin the vulnerable and helpless child's life forever! Even though the government has instituted the right laws, they prove unsuccessful in dealing with child pornography.

While it is believed that the ban could curb child pornography within India to some extent, the government is faced with technical challenges as many of the pornographic websites are not under the country's jurisdiction. Then there is the lack of appropriate technology which can differentiate 'porn' from 'child porn'. And even if this is done, it is almost impossible to block websites altogether.

Last year, the government notified the Protection of Children from Sexual Offences Rules 2020 enabling stricter punishment provisions and also crackdown for possession of pornographic material involving children.

Ban on Testing of Cosmetics on Animals – India bans testing of cosmetics on animals as well as the import of products that have been tested on animals. Companies that want to manufacture or sell in India have to stick to



modern and effective non-animal alternative tests only, paving the way for cruelty-free cosmetics. Even testing of soaps and detergents on animals is prohibited.

Ban On Gambling – The centre prohibits running or being in charge of a public gambling house. Accordingly, common gambling and organised betting activities are



restricted except for lotteries and horse racing. However, gambling being a state subject, it is legalised in Goa, Sikkim and Daman and to some extent in Nagaland and Meghalaya as well. Last year, some states posed a ban on online gambling as well.

Ban on Smoking in Public Places - Smoking is banned in all public places, except airports and certain capacity hotels and restaurants with designated smoking areas. This restriction is designed to protect non-smokers from the risks of second-hand smoke which are almost equivalent to direct smoking!



Ban On Advertisements of Certain Products – There is a blanket ban on advertising of alcohol, tobacco products and gambling. However, tobacco and liquor companies openly indulge in surrogate advertising in the form of mouth fresheners, cardamom seeds, bottled water, soda, music CDs and cricket teams to stay in the public eye without the authorities taking any action



Ban on misleading Ads

against them. Furthermore, some states have tweaked and diluted the law, like Delhi allows advertisements related to responsible drinking.

Ban On Free Basics – Zero-rated and differential priced internet services that permit access to certain apps and websites without requiring mobile data have been banned as they infringe on the principles of net neutrality. The Telecom Regulatory Authority of India ruled that under the garb of giving basic internet services for free, Facebook and telecom providers would induce selective content discrimination. This ban translates into equal access to all content on the internet.



Many other things like dolphin shows, export of shark fins, use of recycled plastic or newspaper for packaging of food items, manufacturing of silver leaf for sweets using materials of animal origin and so on are also banned in India for good reason. The import and manufacture of polychlorinated biphenyls (PCBs) - a group of highly toxic organic chemicals used in industries – is banned as it entails risks of cancer, skin diseases and toxicity.

Furthermore, it is illegal to modify a vehicle in variance with the manufacturer's original specification (as noted in the Registration Certificate). This is done to maintain road safety and also protect the environment. This prohibits vehicle owners from installing wider tyres, bigger alloys and aftermarket exhausts or horns. Last year, the government even banned a number of Chinese apps for unauthorised transmission of user data to servers situated 'outside India'.

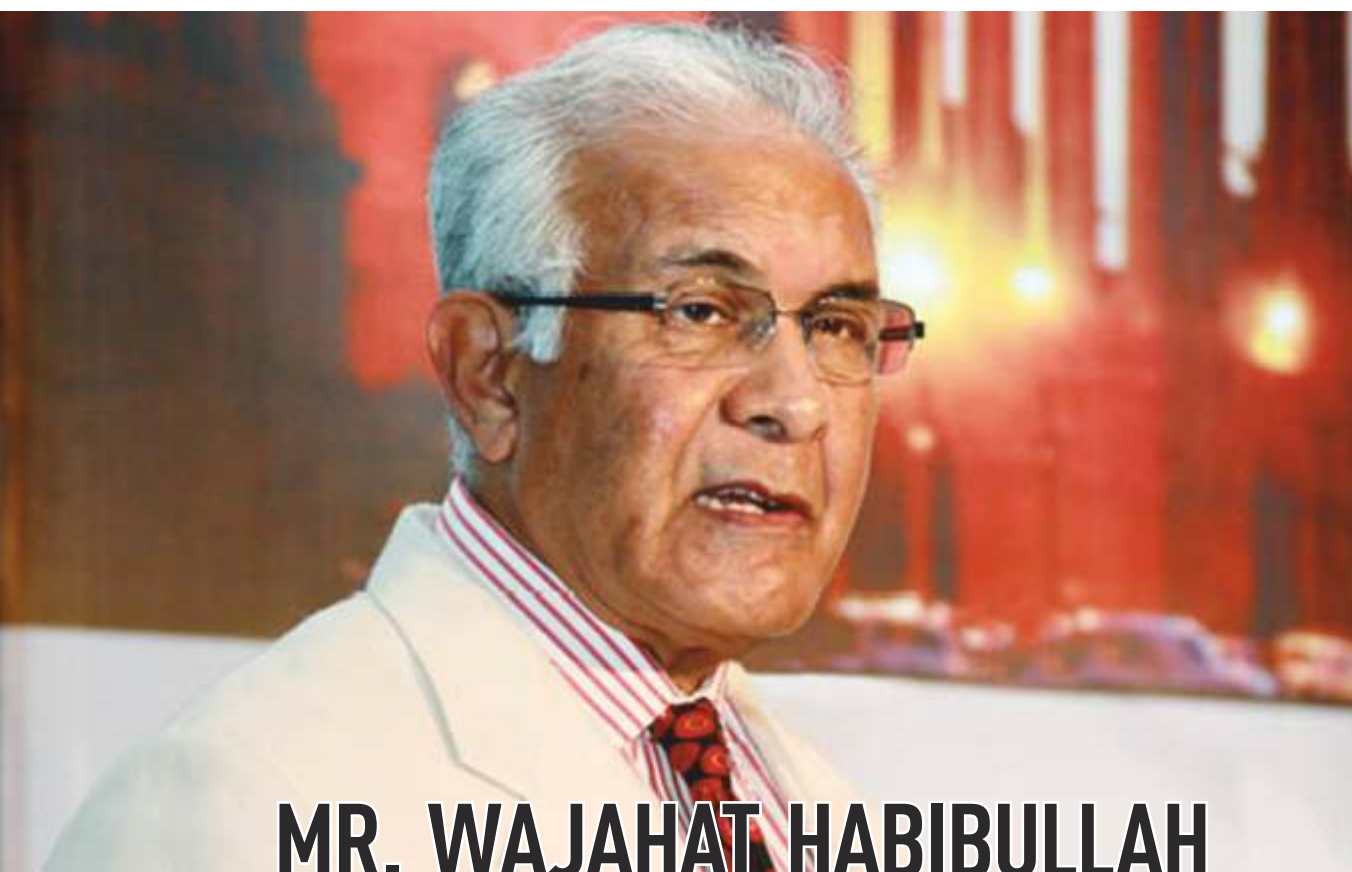
Conclusion

While these bans have been imposed in the right spirit, both the central and local governments face the challenge of lack of an effective monitoring mechanism and funds to implement them. But it's not just weak implementation, the lack of awareness among the masses further augments the ground situation.

Alas, children are still being taken out of school in order to work and earn money for the family. The country still witnessed a huge spike in consumption of child pornography during the COVID-19 lockdown. An India Child Protection Fund (ICPF) report states that child pornography consumption increased by an alarming rate of 95% during this period. Despite the bans, illegal gambling is huge in the country. Yet, we cannot imagine the extent of the prevalence of such social ills without the bans by the government!

While the laws have the heart in the right place, the reality is that people have and will continue to oppose even the beneficial bans by arguing that they violate their individual and property rights! ■

“We have the rules, but there is no implementation as usual. Evasion and avoidance is rampant as there are too many potholes on the road to effective enforcement.”



MR. WAJAHAT HABIBULLAH

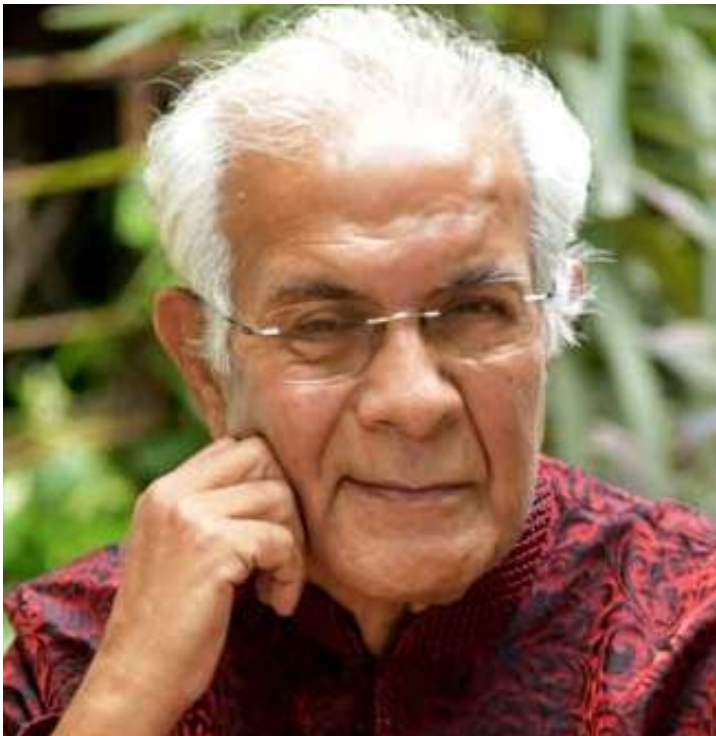
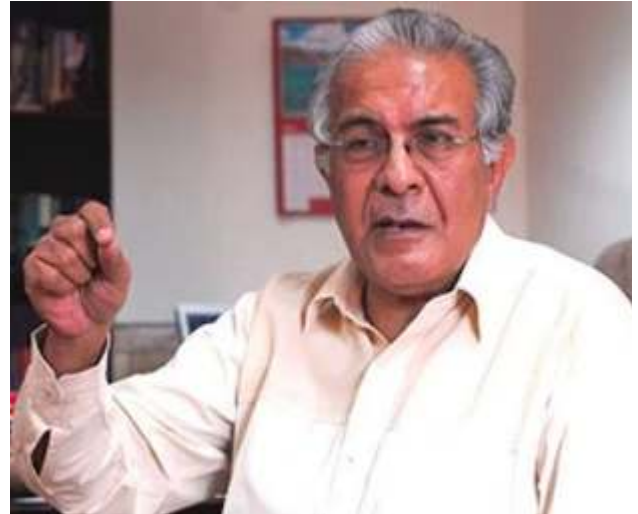
(IAS RETD.)

was the first Chief Information Commissioner of India under the Right To Information Act 2005. He retired as The Secretary to the Government of India in 2005 after serving the country in the Indian Administrative Service since 1986. He was Secretary to the Ministry of Panchayati Raj and Department of Consumer Affairs in the Ministry of Consumer Affairs, Food and Public Distribution, apart from being the Chairperson of the National Commission for Minorities. A senior fellow at the United States Institute of Peace in 2003-04, Mr. Habibullah received the Rajiv Gandhi Award for Excellence in Secularism and the Gold Medal for Distinguished Service. He shares his views with the readers of The Aware Consumer on the trend of irrational and lopsided bans in India.

Q Do you think bans by the government are necessary? Do they deliver in terms of public good and consumer protection?

It is the government's duty to prevent sale of such products as might be hazardous to health, be it human-made or natural. The authorities always have and will continue to ban unsafe items for the good of the consumers. We should thank them for monitoring and managing such products which we would otherwise end up unknowingly using to our detriment.

On the other hand, indiscriminate bans by government are an interference with a market economy, and cannot be supported in a democratic society. What is happening is that we are often resorting to bans as an option to both regulation and governance. This only ends up encouraging cross boarder smuggling and illicit sales which are a blow to the economy and even the government's coffers. Such bans do not allow for proper consumer protection either!



What we need is evidence-based interventions to 'nudge' the consumers to adopt healthier and safer behaviours! Several solutions are being proposed for dealing with the problems of plastic pollution. A prudent combination of the proposals, backed by strong policy and enforcement is what will do the trick in the years to come. Better products and services is what will push the consumers to change on their own!

Q Are bans with moral or political overtones justified when the rest of the world prohibits products and services based on science and evidence?

In a democratic society, such bans are usually unjustified, since the government is not expected to be a moral or political sentry. The government has to realise that it cannot and should not completely control how people comport themselves. Most of the banning regulations only end up making a mockery of their authority. Government has to consider safeguarding social harmony too. We must harmonize the bans in our country with the world so that we do not encourage cross boarder smuggling and legally allow consumers to access products based on informed choice and not create barriers for the consumers and infringe on their fundamental rights. Of course, right to

safety of the citizens is paramount and should always prevail over commercial interest.

Q Can bans that limit informed choice among the consumers be accepted?

The government's biggest responsibility is to safeguard public health. But the irony is that the same public will not support a government that tells them what they can or cannot do for their health. In fact, under no circumstances is limiting the informed choice of consumers acceptable in a democratic society. The inefficacious policy levers used by the authorities today only infringe on individual freedom.

Banning just does not work anymore! Bans never have and never will help solve behavioural problems.

This cannot become an excuse for intruding on the private lives of citizens. What we need is a structured approach to deal with various social evils because laws work best when they are reformatory, not retributive. The government has to consider the economics, availability and applicability of alternatives before going ahead and simply putting a blanket ban on things.

Q What steps should the authorities take to regulate the bans in a better manner?

We have the rules, but there is no implementation as usual. Evasion and avoidance is rampant as there are too many potholes on the road to effective enforcement. Medicines that are banned in other countries are blindly used in India as over the counter drugs because of unawareness, lack of law enforcement and corruption.

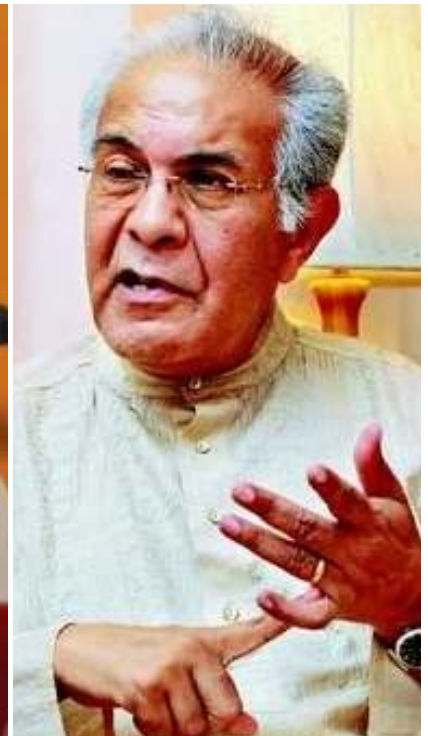
But why is the government just grinning and bearing

behavioural risks. This also helps avoid the social harms of black marketing, organised crime and sporadic enforcement. Moreover, when the government bans a product, it cannot tax it, thus forgoing vital revenues. So why don't we consider bringing in regulations like other countries which are often more politically viable than bans rather than playing Big Brother every time?

When it comes to harmonising bans with the rest of the world, the Indian government should consider mandating Citizens' Committees for this purpose. However, because the requirements of each nation and region will be different, the aim should be harmony, not necessarily homogeneity.

Q How do you suggest the government can use bans rationally in the interests of the consumer?

First and foremost, the government has to ensure a balanced consumer representation on these committees.



it? Why not revisit the bans and make them more effective by developing new strategies with new powers of surveillance and arrest? The focus has to also be on curbing the menace of cross border smuggling and sale of contraband products. We also need new oversight over popular technologies that are emerging by the day.

The best means for ensuring effective regulation will be by ensuring that such regulation is within the supervision of respected citizens, appointed specifically for this purpose, from amongst civil society irrespective of political leanings.

Q How can the bans in India be harmonised with the world at large to promote universal health and safety?

All across the world, we see that strict regulation of unsafe products is a more flexible tool to decrease

This is because the overriding fact is that bans generate a psychological resistance. The injunction is perceived as a threat to their freedom and this only pushes them to indulge in the behaviour that is forbidden! It is human tendency to flout the rules. This mindset cannot be changed overnight, and never through bans. People will feel the urge to make these 'mistakes' no matter how costly they turn out to be.

What we need is evidence-based interventions to 'nudge' the consumers to adopt healthier and safer behaviours! Several solutions are being proposed for dealing with the problems of plastic pollution. A prudent combination of the proposals, backed by strong policy and enforcement is what will do the trick in the years to come. Better products and services is what will push the consumers to change on their own! ▶



Pyush Misra
Trustee,
Consumer Online Foundation

Will Fear of the Unknown Drive India to Ban Cryptocurrency?

“Cryptocurrency does not have any legal status in India; but the user base tells a different story altogether. With the government belatedly proposing a clampdown of the crypto sector, the consumers are left hanging in the balance as usual. Why does the government not consider the alternative of regulation before a ban?”

– opines *Pyush Misra*



Millions of Indians have dipped their hands in virtual currencies and are fearing the crackdown on crypto trading. Clarity on the regulation is much needed.

CIRCA BACK TO 2009 when the world's first cryptocurrency, Bitcoin, was launched. People had no idea about digital currencies, mining and so on. Cut to more than a decade later, today there are an estimated 15-20 million cryptocurrency investors in India with total crypto holdings of around Rs. 450 billion (\$6 billion) (as per industry estimates). Our homegrown crypto exchanges have managed to beat digital stockbrokers in terms of the user base!

According to Chainalysis' 2021 Global Crypto Adoption Index, India currently ranks second-highest in the world (behind Vietnam) when it comes to crypto adoption. India is also considered the fastest-growing crypto market in the world.

There are advertisements left, right and centre hailing different cryptocurrencies as a great instrument for investments. Top Bollywood actors openly promote crypto exchanges like CoinSwitch Kuber, WazirX and CoinDCX in the media. A NASSCOM and WazirX report pegs that the Indian crypto industry employs more than 50,000 professionals and is likely to create 30% more jobs in the coming months.

However, this sector has been largely left to its own devices without any form of regulation by the government. The Reserve Bank of India (RBI) did caution the investors about the financial, legal and security risks in 2013 and has been making intermittent noises about shutting down the 'internet's currency'.

In 2018, the apex bank even attempted to ban crypto trade by ordering all banks not to facilitate them, considering these digital currencies a threat to macroeconomic and financial stability. But this order was subsequently set aside by the Supreme Court in 2020.

With rumours surfacing in February last year that the government is contemplating a complete ban by criminalising the possession, issuance, mining, trading and transfer of crypto-assets, the crypto world has plunged into chaos ever since. A Prime Ministerial meeting even concluded that the unregulated market can become an avenue for money laundering and terror financing apart from the fact that the over-promising and non-transparent advertising is misleading the youth.

Now word is out on the 'Cryptocurrency and Regulation of Official Digital Currency Bill, 2021' which aims to prohibit all private cryptocurrencies as a method of payment in India to the extent of violators being subject to arrest without a warrant and being held without bail. While crypto will not become legal tender for sure, the bill will allow certain exceptions to promote the underlying technology of cryptocurrency and its uses.

The bill further plans to come down heavily on advertisements seeking new crypto investors and ban self-custodial wallets for storing digital currencies outside exchanges. It will also lay out a framework for creating an official digital currency - Central Bank Digital Currency (CBDC) to be issued by the RBI. The Finance Minister

categorically stated that cryptocurrencies will not be allowed for payments in India!

These developments sparked a panic of heavy selling by the investors and prices of various cryptocurrencies plunged by at least 15-20% on the local exchanges. Even the exchanges paused their ads for a while. Meanwhile, the dillydallying authorities are still unable to firm up their view and postponed the proposed legislation to the next Parliament session!

Too Late For a Ban

Why does the government always take so long to strike – why not bring in regulations or even take other proactive steps before the crypto sector started booming? Does it make sense to go overboard in safeguarding the traditional financial sector? Are the authorities even considering the interests of those who currently own cryptocurrencies?

Experts opine that a complete ban is infeasible as anyone can easily purchase cryptocurrency and transfer it to others. At best, it can become a barrier to entry for new consumers. Therefore, like always, the ban will create a parallel economy and encourage illegitimate use.

PM Modi himself stated that emerging tech like crypto should be used to empower and not undermine democracies! Why not consider rules like strict KYC norms, reporting and taxability instead?

And what about the other side effects, like India being cut off globally, falling behind on the technology curve and losing out on the innovation cycle? Will this not stop blockchain development and non-fungible tokens?

And, can we contemplate being clubbed with China which has recently put a blanket ban on everything to do with cryptocurrency? It is worth noting that no other country has banned cryptocurrencies; Japan, Russia and Australia seem to be regulating them successfully.

The crypto platforms themselves are calling for regulations on digital currencies. This will also help check virtual Ponzi schemes where fraudsters promote non-existent opportunities to invest in digital currencies with illusions of huge returns. When the bubble bursts, the unsuspecting consumer is fleeced of his hard-earned money! For instance, BitClub Network easily managed to raise more than \$700 million before the scamsters were indicted in December 2019.


Conclusion

It is high time the government puts an end to the uncertainty by framing a financially inclusive law that will signal a positive policy approach to the crypto sector. It is proper regularising and regulating – as opposed to an outright ban – that will control the potential threat to foreign exchange reserves and economic disruptions while protecting the financial stability and interests of the crypto consumers in the country. ■


Experts opine that a complete ban is infeasible as anyone can easily purchase cryptocurrency and transfer it to others. At best, it can become a barrier to entry for new consumers. Therefore, like always, the ban will create a parallel economy and encourage illegitimate use.

ALCOHOL REGULATIONS

- Can Prohibition Take the Sting Out of the Intoxicating Spirits?



Alcohol is a social ill but it also serves as major source of revenue to the state exchequer in the form of duties and taxes. It creates employment and contributes to the economic development of the nation. Varied governments have tried their best to regulate alcohol consumption, but to no avail!



While prohibition persists, the ban is yet to turn any state truly dry!

INDIA HAS ALWAYS had an uneasy dynamic with alcohol. Liquor remains one of the most regulated domains in the country. There are laws governing the legal age for drinking, drunken driving is a legal offence and advertising of liquor is prohibited across the country.

Age	Name of the state
18 years	Rajasthan Himachal Pradesh Goa Andhra Pradesh Sikkim Puducherry
23 years	Kerala
25 years	Maharashtra (light beer is allowed at the age of 21) Haryana Punjab Chandigarh Dadra and Nagar Haveli Daman and Diu
21 years	All the remaining states

Legal age for alcohol consumption varies from state to state – Delhi recently reduced it from 25 to 21

The manufacture, sale and consumption of alcohol is also controlled with a heavy hand. It is usually sold at liquor stores, restaurants, hotels, bars, pubs and clubs after obtaining the requisite license from the authorities. Some states allow sale of liquor in groceries, departmental stores, banquet halls and even beaches while a few prohibit private parties from selling liquor making the state government the sole retailer of alcohol. Certain states prohibit employment of boys and girls under the age of 21 and even women in premises where liquor is sold and consumed by the public. The Excise Department is legally authorised to supervise and regulate the alcohol business and cracks down heavily on the violators.

India is notorious for its prohibition policies. Various states like Andhra Pradesh, Tamil Nadu, Haryana and Kerala have imposed blanket bans on alcohol only for it to be revoked after a few years. As of now, Gujarat, Bihar, Nagaland, Tripura and Mizoram are the dry states in India while there is a partial ban in some districts of Manipur. Sale and consumption of alcohol in any form is banned in these states with strict fines and imprisonment for violations. Mahatma Gandhi's state of Gujarat proscribed alcohol soon after Independence and happens to be the only state with a death penalty for the manufacture and sale of homemade liquor that results in fatalities. However, foreigners and visitors from other parts of India can apply for a permit to purchase and consume alcohol. Thousands of residents with 'health permits' also buy alcohol; liquor permits are now being

extended to residents in Special Economic Zones too. Meanwhile, Lakshadweep lifted its prohibition law in the middle of 2021.

In addition to this, India has a series of dry days when the sale and consumption of alcohol is prohibited – like Independence Day, Republic Day, Gandhi Jayanti, specific festivals and around voting and result days.

Moreover, in 2016, the Supreme Court imposed another blanket ban on sale of liquor within 500 meters of any national or state highway.

For What It's Worth

Prohibition is actually a positive attempt to improve consumer health and economic wellbeing. It draws on a lot of social good – keeping the poor from squandering their daily wages in indulging this intoxicating vice; hard-earned money that is required to pay for food, clothes and school fees. Complaints are rife that men – especially among the lower-income groups – tend to become increasingly violent under the influence of excessive alcohol.

In fact, it was protests by women groups, fed up with the harassment and domestic abuse by the inebriated menfolk, that led to the imposition of complete prohibition in the otherwise staunchly patriarchal state of Bihar in 2016. While the Chief Minister keeps touting that 'liquor is bad for health and the society', everyone is well aware that this was a circumspect bid to woo women voters in the state! More than 8,00,000 ministers, police officials and employees of the state of Bihar were made to swear off alcohol for life in November 2021. The ban has purportedly led to a sharp reduction in thefts, crimes and road accidents apart from domestic violence.

The Aftermath of the Sham

It is an open secret that whenever and wherever alcohol is made illegal, an underground economy of illicit and counterfeit liquor springs up almost immediately. Cross-border smuggling from the neighbouring states becomes commonplace and the grey market continues to thrive. Locally brewed cheap liquor (hooch or moonshine) gets a leg up. Both excise seizures and anecdotes prove that there is no dearth of supply in all the states where liquor is legally prohibited.

Illegal liquor dens have popped up all over Bihar. Spirits are delivered to the doorstep like pizza! Enforcement is lax in Nagaland too; authorities not only turn a blind eye to contraband sales, but some police officers themselves engage in bootlegging! There are

Law Against 'Drink and Drive' in India

The crime of drunk driving is enumerated under Section 185 of the Motor Vehicles Act 1988. A person can be charged under one of any two conditions:

1. If alcohol level in his/her blood is found to be more than 30 mg per 100 ml, detected by a breath analyser or
2. The person is under the influence of intoxicants to such an extent that it makes him incapable of exercising proper control of the vehicle.

'folder' bootleggers who deliver alcohol on demand in Gujarat – the state with the longest history of prohibition in the country. The Gujarat government revealed that the police seized liquor worth over Rs. 215 crore between April 2019 and December 2020.



"We are dealing with cases of drunk driving, public commotion, robbery and murders, which are occurring under the influence of alcohol, like in any other state" - anonymous police officer in Gujarat.

According to the National Family Health Survey 2019-20, Bihar consumes more liquor than Maharashtra which does not even have prohibition. 15.5% of all men above 15 years of age consumed alcohol in Bihar as compared to 13.9% in Maharashtra!

While the illegal liquor mafia is in full swing and alcohol sale/consumption continues unfettered, the states' end up missing out on millions in taxes. According to an estimate, Bihar is losing around Rs. 60 billion of liquor revenue every year. The money ends up filling the coffers of corrupt officials and smugglers instead.

Paying a Heavy Price

The fallout is not just the cumulative social and policing costs of curbing blackmarketing and enforcement. The marginalised sections resort to consuming adulterated/low-quality liquor or even move to drugs. More than 100 people died after consuming spurious liquor in Bihar in 2021; 40 of these deaths occurred in November itself. Many even lost their eyesight to illicit liquor consumption. The series of hooch tragedies are an alarming case in point. The state government is facing tremendous pressure to lift the complete prohibition in the face of escalating supply of spurious liquor and spurt of crime syndicates.

The Confederation of Indian Alcoholic Beverage Companies (CIABC) openly stated that liquor prohibition has caused major damage to Bihar's economy and potential investments, thus hitting job creation. It suggested that the government should instead impose a special cess on sale of liquor to fund alcohol de-addiction and rehabilitation centres.

Even the other regulations on alcohol come across as flawed or even precipitate without taking the ripple consequences into consideration. Meanwhile, the people come up with devious ways to circumvent the imprudent laws. For instance, restaurants, bars and liquor stores are using innovative excuses to put the requisite 500 metres between the establishment and the highway while many states itself have resorted to de-notifying highways. And who can stop people from stocking up on liquor much before they hit the highway?

The government is not far behind either. Gujarat is planning to lift liquor restrictions at the Gujarat International Finance Tec-City (GIFT City) in Gandhinagar to offer a lively 'evening social life' to the finance professionals in the smart city!

In sum, the flashy regulations and shortcut measures only add to the administrative turmoil and create disorder without the intended consequences ever materialising. Instead, the focus should be on making the mechanisms and processes of everyday governance work better. Legislators should work out nuanced solutions after taking all the variables on board instead of passing sweeping rules that are lacking in context. What we need is an administrative overhaul to ensure proper regulation and governance!



Petitioners are contesting that prohibition interferes with the Right to Life and Personal Liberty. Can the ban still be imposed on the grounds of compelling public interest?

"Prohibition is not a bad thing. But it should be regulated well. The present law is draconian and ensnares the marginalised" - Vikash Kumar Pankaj, criminal lawyer in Patna

Conclusion

There is a huge question mark over the efficacy of prohibition which is limited to certain states. A pan India ban on alcohol with a complete clampdown on illicit sales is what will spell a robust public health solution! ▶

Payal Agarwal
Editorial Consultant



Ban on Medicines – Will India Ever Synchronise with the World?

“A multitude of drugs that are banned in other countries, due to their side effects, continue to be sold in India. This brings the effectiveness of healthcare regulatory bodies in the country into question. What we need is improvements in the regulatory architecture and patient safety mechanisms while ensuring that unsafe and irrational drug combinations are taken off the market,”

– states *Payal Agarwal*



DRUGS FORM A crucial cornerstone of modern healthcare. Their efficacy is backed by scientific research and documented evidence of the benefits to humans at certain dosages, frequency, etc. It goes without saying that almost all allopathic medications come with their own share of side effects. However, they are approved for usage only when the therapeutic advantage outweighs the perceived side effects. In case the drugs fail the therapeutic justification or pose health risks, they are prohibited or withdrawn from sale.

The established markets in various parts of the world, like USA, Canada, UK, Germany, France and Australia, have prohibited the production and sale of many such harmful drugs and it is considered a crime. A closer look reveals a disturbing fact, the list includes popular painkillers, cold and cough medications, laxatives, diabetes drugs, etc. which are openly and widely available in India. We regularly purchase them over-the-counter, most times even without a prescription! Similarly, there are anti-bacterials, anabolic steroids and drugs acting on the brain that are banned in other countries, but continue to be blindly sold in India.

The most common names that keep popping up on the radar are nimesulide, furazolidone and phenylpropanolamine that are strictly forbidden due to side effects on the liver, kidneys and nerves. Other formulations comprising of drugs like cerivastatin, pergolide, buclizine, oxyphenbutazone and nitrofurazone have also been globally discarded as they can lead to paralysis, cancer, blindness and many other diseases.

- **Analgin** - Painkiller
Reason for ban: Bone marrow depression
- **Nimesulide** - Painkiller, fever
Reason for ban: Liver failure
- **Phenylpropanolamine** – For cold and cough
Reason for ban: stroke
- **Cisapride** – For acidity, constipation
Reason for ban: Irregular heartbeat
- **Droperidol** - Anti-depressant
Reason for ban: Irregular heartbeat
- **Furazolidone** - Anti-diarrhoeal
Reason for ban: Cancer
- **Nitrofurazone** - Anti-bacterial cream
Reason for ban: Cancer
- **Piperazine** - Anti-worms
Reason for ban: Nerve damage

How can the government permit drugs that are banned in other countries to be stocked in pharmacies and purchased by consumers in India?

The problem here is that the dangerous side effects do not pop up immediately. We enjoy the instant relief from pain, cold, diarrhoea or other ailments even without being aware that the same medication is wreaking even more havoc inside our body, sometimes to the extent of affecting the performance of our vital organs.

Does life come cheap in India? How can the authorities justify the production, sale and prescription of such hazardous drugs that have been withdrawn elsewhere in the world? Are they not playing with the lives of crores of people who are oblivious to the harmful effects?

How the Story Plays Out In India

Back in 2013, following a Parliamentary Panel study that found lapses in drug regulation in the country, the Ministry of Health & Family Welfare categorically committed that “whenever a drug is banned due to adverse drug reactions in countries with well-developed and efficient regulatory systems, the manufacture, import and marketing of such drugs would be immediately put under suspension till the safety of the drug is examined and established...”.

“If two or more countries remove a drug from their market on grounds of efficacy and safety, then the continued marketing of the drug in the country will be considered for examination and appropriate action” – Central Drugs Standard Control Organisation (CDSCO), India's apex drug regulatory agency

The same panel named 15 drugs that continue to be sold in India despite being curbed elsewhere. However, none of these drugs were banned in the next few months following the report. All that the ministry did was set up review committees while the dubious drugs continued to be sold freely right under their nose!

It is not as if the Indian government is turning a complete blind eye to the issue – some of the drugs banned in other countries are allowed subject to stipulated conditions or restrictions.

In case of the anti-diabetes drug, pioglitazone which is banned in France for its potential to cause bladder cancer, it can be sold in India provided the manufacturers specify that *'the drug should not be used as first line of therapy for diabetes'*. Additionally, *'Advice for healthcare professionals - patients with active bladder cancer or with a history of bladder cancer and those with investigated haematuria should not receive pioglitazone'* should be clearly printed in bold red in a warning box.

The controversial drug analgin is also allowed to be marketed in India as long as the manufacturers mention that, *'The drug is indicated for severe pain and pain due to tumour and also for bringing down temperature in refractory cases when other antipyretics fail to do so'* on the package insert and promotional literature of the drug.

Now try wrapping your mind around the fact that analgin can still be legally sold in India, even while there

are serious global concerns over how it can severely compromise the immune system due to which other countries refuse to allow it in the market!

Let us consider the case of nimesulide which was banned way back in 2000 in USA, UK, Spain, Switzerland and many more countries due to its hepatotoxicity and possible drug interactions. India stepped in too late in 2011, that too with a ban only on paediatric use for children below 12 years. Therefore, the drug continues to be rampantly used by adults as it can easily be acquired over-the-counter without any prescription!

The Burning Issue of 'Cocktail' Drugs

Following the panning of the combination of analgin with other drugs for being less safe than analgin by itself without adding any substantial benefits, India also banned Baralgin and other such combination drugs.

Modern pharmacology has made it common practice to combine two or more active ingredients into a single medicine – known as fixed dose combinations (FDCs). They bring multiple benefits like delivering improved synergistic action, reducing pill burden, cost efficiency, quicker recovery time, etc.

However, there is another side to the rosy picture of multi-drug concoctions. Any kind of chemical incompatibility between the active ingredients can play havoc with the therapeutic benefits, safety profile or shelf life, sometimes even to the extent of making them harmful to the patients. These are termed as 'irrational' FDCs as they are offered inappropriately for various ailments and are stretched far beyond their therapeutic advantages, thus making them a looming threat to public health.

That's not all – many of the FDCs have substandard doses of antimicrobials, which end up helping the bugs develop resistance to the FDCs, leading to antimicrobial resistance in the future.

The 20th edition of the WHO List of Essential Medicines issued in August 2017 lists 433 medicines, of which only 37 are FDCs. Even in the 376 medicines listed in India in the National Essential List of Medicines 2015, a mere 24 happen to be FDCs. Most of them are used to treat tuberculosis, HIV and malaria or cardiovascular diseases, diabetes and other chronic diseases.

USA and other developed countries permit a limited number of formulations that are backed by clinical trials. In contrast, India is a world leader in cocktail drugs. With around 2,000 cocktail combinations, four times more than what's available in the US. In fact, FDCs enjoy a much higher market share over single dose formulations in India.

While FDCs appeared on the Indian pharmaceutical scene in the 1960s, efforts to regulate them started very

late in 1988, that too with limited efficacy. It was only in March 2016 – following a ten year long legal battle between the Health Ministry and activist groups on one side, and the pharmaceutical industry on the other – that 344 irrational FDCs were banned under Section 26A of the Drugs and Cosmetics Act, 1940. This included popular brands like Corex, D'cold, Saridon and Vicks Action 500 apart from other common painkillers, anti-diabetic drugs, respiratory and gastrointestinal medicines that have been in use since decades.

However, the ban was stayed in December 2016 by the Delhi High Court until the Supreme Court again green signalled the government to ban 328 of the said irrational FDCs (in September 2018) based on a report by the Drug Technical Advisory Board that cited lack of due diligence and dosing mismatches that could result in toxicity.

This is just a drop in the ocean as the All India Drug Action Network had stated that the banned FDCs account for about Rs 2,500 crore while unsafe, problematic and irrational FDCs make up at least one-fourth of the total India pharma market value of Rs 1.3 trillion.

This brings us to the question - how could such irrational cocktails be allowed in the first place? And what about the millions of people that were using these drugs during the decade of legal deliberations, not to mention through the needless stay by the High Court? Then again, Saridon and two other FDCs still managed to escape the net just four days into the ban, that too on the flimsy excuse that they had been licenced before 1988!

In January, 2019, 80 more FDCs - including antibiotics, painkillers, medicines used for treating fungal and bacterial infections, hypertension and anxiety – were banned in the country. Yet, thousands of new drugs continue to be launched in the market every year, most of which happen to be FDCs. This begs the question that how many of them may be irrational!

With low regulatory barriers to entry, there are hundreds of pharmaceutical companies in India that sell thousands of questionable drug formulations. What's more, even many of the domestically banned irrational concoctions continue to be easily available in drugstores.

Drugs that are found to have harmful side effects are not banned in the USA; they are directly withdrawn from the market. In contrast, India bans the drugs without providing for their withdrawal. They continue to be available in the market at least for a few months till stocks last!

On A Sticky Wicket

All FDCs require prior approval of CDSCO, the Central Licensing Authority, by submitting proof of the therapeutic benefit, additional advantage and safety profile based on clinical trials. After this, the state licensing authorities (SLAs) can issue licences for their import, manufacturing, marketing and sales. Earlier, the SLAs were directly





Dr. GN Singh
Ex - Drugs Controller
General of India

Some combination drugs have issues related to their safety and efficiency evaluations, especially where proper scientific tools were not applied by the approving authorities. Fortunately, in recent years, through evolving scientific methodology, the issue of existing combination drugs whose rationale is doubtful is being addressed.

The movement started with different forums advocating loudly to protect the rights of the patients which culminated in the current changes in the regulatory platform of the country. This has enabled the country to bring in a robust system of approval of New Drugs under existing statutes that cover approval of combination drugs also. The clinical trials and new drug approval steps have been well developed by CDSCO and supporting scientific institutions. The role of Central Regulatory Authority and State Regulatory Bodies have also been clearly defined in the new regulatory notifications.

It is hoped that irrational approval of fixed dose combinations will become a thing of the past now so that consumers' rights, safety and well-being is well taken care of in the future.

approving many FDCs, even though they neither possess the technical expertise nor the mandate to do so.

While the CLA had officially approved only 1292 FDCs till mid-2018, there are around 6000 of them in the Indian market. The individual brands formulated for these FDCs by different pharmaceutical companies run into tens of thousands!

It is noteworthy that the CDSCO has worked hard to upgrade the regulatory system for FDCs and other drugs. It is now keeping an eye on the SLAs to ensure that only evidence-backed combinations get the approvals and can enter the market.

However, the authorities also need to slam down on pharma companies which adopt the shortcut of new FDCs to circumvent the price control over essential medicines, protect their vested interests and maximise their profits.

A Case in Point

In June 2018, the European Medicines Agency made a shocking discovery that batches of valsartan - a drug used to treat high blood pressure - had dangerously high levels of NDMA (a nitrosamine which is considered a strong carcinogen among animals). Since then, other national drug regulators have also discovered not just NDMA, but several other related compounds in various drugs. The contaminated ones include:

- Ranitidine (acid blocker)
- Rifampin and Rifapentin (for tuberculosis)
- Metformin and Pioglitazone (for diabetes)
- Valsartan, Losartan, Irbesartan and other 'sartan' group of blood pressure drugs

While most of the countries recalled and suspended sales of contaminated batches, tested more samples and introduced sweeping quality control measures to prevent future contamination, the CDSCO merely asked the state drug regulators to inform pharma companies to 'verify their products' and 'take appropriate measures to ensure patient safety'. The government categorically claimed that Indian drugs were untouched by the nitrosamine issue, even though the central drug testing laboratories lack the requisite equipment to conduct such tests!

In fact, India is considered a dumping ground for banned drugs from across the world. Both the disconnected monitoring ecosystem and the aggressive pharmaceutical industry is to blame here. The authorities seem to be adopting stalling tactics to indulge the big drug makers by stating that they are reviewing the drugs or stipulating provisions like selling only to adults. How can a potentially harmful or fatal drug be allowed to be sold to even a handful of people or for severe conditions or even just to finish the old stocks?

Time for Tough Decisions

FDCs have to be formulated with extreme caution by the pharmaceutical companies, subject to vigilant checks from the regulatory agencies and also call for due diligence in prescription and usage by healthcare providers. Keeping in mind the adverse clinical outcomes of the irrational FDCs and the economic burden of managing the consequences, the government has to focus on weeding out the existing ones while preventing new ones from entering the market.



The government should prioritise public health and patient safety over the interests of the pharmaceutical industry!

Some of the crucial steps required are:

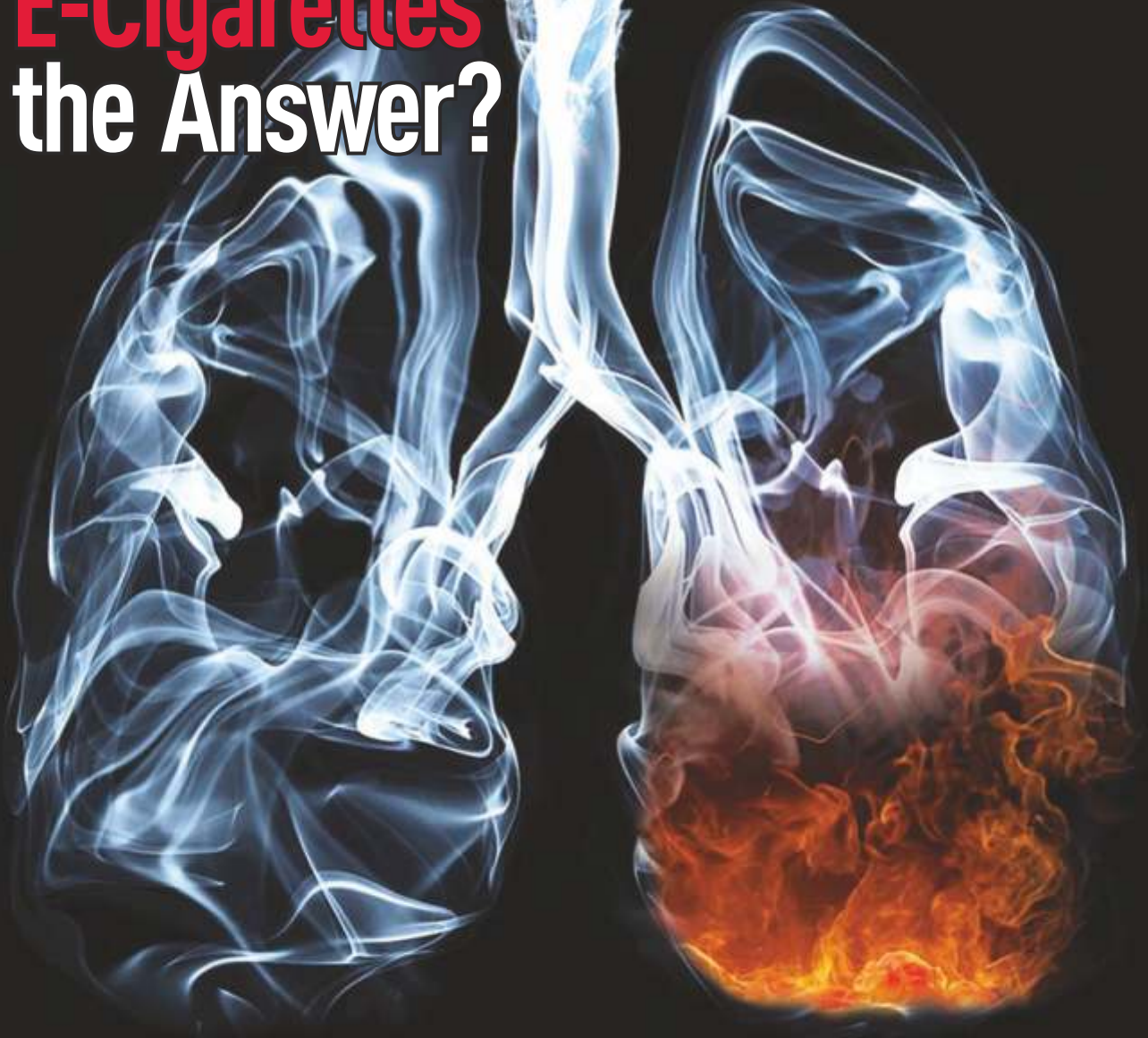
- Strict guidelines for drugs banned in USA, Europe and other countries
- Tightened drug approval mechanisms
- Awareness programmes to make healthcare practitioners aware of the status of drugs in the market, especially the banned and controversial ones
- Physicians should report adverse drug reactions (ADR) to build an appropriate database of pharmacovigilance
- Educate consumers about the FDCs and their utility

Conclusion

India needs robust regulatory policies to keep a check on the combination of the drugs along with greater vigilance for banned drugs. ■

FIGHTING TOBACCO ABUSE:

Is Banning **E-Cigarettes** the Answer?



The e-cigarette ban is defined by sheer absurdity and other drawbacks. In the face of the COVID-19 pandemic, we need to devise new and more inclusive ways to move forward to save people from the dangers of tobacco consumption.

THERE ARE CIGARETTES and bidis and then there are e-cigarettes. The former two constitute the conventional choice of tobacco smokers wherein the tobacco is burnt and the smoke is ingested. In contrast, e-cigarettes, vapes, e-hookahs and other such heat-not-burn devices - termed as ENDS (electronic nicotine delivery systems) - replicate the feel and sensation of smoking by delivering nicotine through a battery-operated device.

In September 2019, the Indian government imposed a ban on "production, marketing, import, export, transport, sale, distribution and storage of e-cigarettes". Any violation is punishable with imprisonment of up to 1 year or a fine of up to Rs. 1 lakh, or both for the first offence. Subsequent offences will attract imprisonment of 3 years or a fine up to Rs. 5 lakhs or both.

Subsequently, the Prohibition of Electronic Cigarettes Act, 2019 was notified on 5th December. While announcing the ban, the government cited concerns of a potential smoking epidemic in the younger population apart from the growing apprehension that e-cigarettes can 'seriously undermine and derail the government's efforts to reduce the prevalence of tobacco use'.

Stemming the Alarming Tide of Tobacco Threats

The statistics paint a grim picture indeed. India is the second largest consumer of tobacco globally with an estimated 268 million tobacco users using tobacco in different forms (Global Adult Tobacco Survey, 2017). More than 12 lakh deaths occur every year in India due to tobacco related diseases.

Our country has clearly identified the overwhelming public health threat posed by the array of smokable, chewable and sniffable tobacco products that can cause diseases, disabilities and even death. India is a signatory to the global public health treaty on tobacco - the WHO Framework Convention on Tobacco Control (FCTC) which recognises tobacco harm reduction as an important element along with the other tobacco control measures. The government also passed its own Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 (COTPA). The National Health Policy 2017 comprehensively covers tobacco control and lays down the target of achieving 30% relative reduction in prevalence of tobacco use by the year 2025 from the levels in 2009-10.

Additionally, laws and other cessation measures are in place - a legislative framework, price and tax measures to reduce demand, regulation of contents of tobacco products and disclosures, deterrent packaging and labelling norms, prohibition of advertising, promotion and sponsorship, regular awareness campaigns and also a free helpline.

But how effective are they in reality? Tobacco continues to remain the leading cause of preventable death in India. Imposing high sin taxes on cigarettes seems to work only on paper; it does not actually dissuade the smokers much. Doctors and family members of tobacco users try every trick in the book - from awareness about the benefits of quitting to persuasion and motivation to threats; however, only a handful succeed in kicking the habit.



Banning e-cigarettes, not tobacco products, is ludicrous!

... Electronic Nicotine Delivery Systems ...



We are banning less risky alternatives while allowing high-risk products to be sold legally!

Scientists and health experts alike advocate that the next best measure after abstinence is harm reduction. Indeed, when people are unable to quit, another way out is to use products that reduce the risk. Thanks to significant advancements over the last decade or so, a wide range of products are available that can reduce the imminent harms of tobacco to a large extent. The government too promotes nicotine replacement therapies (nicotine chewing gums, patches, etc.) as less risky alternatives that can even help people quit smoking.

Shooting Itself in the Foot

ENDS like e-cigarettes and vapes are supposed to just contain nicotine dissolved in water which is heated and the vapour is inhaled by the users. They are free of the toxic tar and around 7,000 other harmful chemicals present in tobacco smoke. Therefore, they are touted as a safer alternative to combustible cigarettes. A 2019 Public Health England's report stated that e-cigarettes are 95% less harmful than smoking.

Heat-not-burn devices are not perfect products by a long shot either. Having said that, it cannot be denied that they significantly reduce harm – some scientific studies estimate that harm is reduced by 90-95%. In fact, relying on the credible scientific evidence that there is significant reduction of harmful constituents compared to combustible cigarettes, the USFDA authorised the marketing of Heat-not-burn products in the United States.

"There's no question that e-cigarettes are not safe. But it's a question of proportionate risk." - Amy Fairchild, Dean of Ohio State University's College of Public Health

It follows that Indian consumers are being deprived of the benefits of such products without any credible justification. Does this not contradict the spirit of Article 47 of the Constitution which was conveniently cited to justify the ban on e-cigarettes? As Prof. Bejon Kumar Misra, international consumer policy expert exhorts, "It is prudent to explore options of safer and less risky alternatives when conventional tobacco products, that are significantly higher in their risk profile, are legally sold in the country. Article 47 of the Constitution of India obliges the State to regard the improvement of public health as among its primary duties, and not giving the consumer the right to an informed choice is not only against public policy but also undermines the Constitution and the freedom of a consumer to choose for himself."

Jumping the Gun

What begs the question is how does it make sense to ban these alternate sources of nicotine delivery while leaving the conventional cigarettes and bidis untouched? If the battery-powered devices prove to be safer, why are the policymakers depriving millions of adult smokers of a less risky option?

The irony is there for all to see – people can buy cigarettes easily but cannot get their hands on vapes and e-cigarettes. With ENDS going off the shelves, many ex-smokers will be forced to go back to smoking! Meanwhile, it remains inexplicable that there are no extra restrictions on traditional cigarettes....

The authorities are screaming from the rooftops that the ban is an attempt to contain the threat that e-cigarettes could pose for the future generations. The Finance Minister vehemently quoted reports that found e-cigarettes to be addictive and injurious to health. Then how can they ignore the voluminous data on the dangers of nicotine in general and the lakhs of tobacco-related deaths in the country? Why do they sidestep every other question on why normal cigarettes are not banned?

Even if the risks from conventional and e-cigarettes are on par, it cannot be denied that the former are used much more than their battery-powered counterparts and therefore, endanger more of the populace. So, if the government truly cares for the health of the consumers, what is keeping it from going ahead and indicting the entire tobacco industry and banning all tobacco products per se?

More to It Than Meets the Eye

Could the reason behind the selective ban be the humungous annual tax revenue emerging from tobacco products – pegged at more than Rs. 43,000 crores by The Tobacco Institute of India?

Furthermore, according to ASSOCHAM India, the tobacco industry contributes a whopping Rs. 11,79,498 crore to the economy and employs an estimated 4.57 crore people. Vote bank politics come into play here. Not to mention the aggressive lobbying by tobacco manufacturers and the clandestine involvement of various high-level politicians in the tobacco trade!

Doing More Harm Than Good

As with any other ban in India, there is a thriving underground market of contraband nicotine inhalers. People can even buy them online quite easily. Therefore, while the authorities struggle to regulate the use of e-cigarettes emerging from the black market, consumers are being driven from the safe and legal options to find solace in the 'unsafe' ones proliferating in the black market. Tobacco control in the country has gone for a royal toss!

The ban only makes problems worse as the government cannot exercise the much needed constraint over the nicotine content, flavouring and the overall quality of the e-cigarettes.

Double-Edged Sword

The jury is still out with some opponents of ENDS firmly

The tobacco industry contributes a whopping Rs. 11,79,498 crore to the economy and employs an estimated 4.57 crore people.

upholding that vaping is worse than smoking. These products have been found to be more addictive and appealing to teens, especially those without prior tobacco exposure. Dubbed as the 'highway to future tobacco abuse', even the Indian government exhorts that the use of ENDS can open a gateway for new tobacco addiction.

However, it is being reported that substandard and potentially dangerous e-tobacco products are finding their way into the clandestine sales. These are responsible for the increased risks from ENDS as compared to conventional tobacco sticks.

Can we expect the black marketers to adhere to safety and quality norms, let alone check the age of the buyers? The hands of the authorities are also tied – how can they legally control the sale and use of e-cigarettes, especially by youth and new smokers, when it has banned these products for all express purposes?

The World Stage

Many countries are recognising that ENDS can assist in reducing the harms of tobacco; these products are now sold globally as viable options with appropriate regulations and other controls. Consumers around the world are deriving the benefits as they are less harmful than conventional tobacco products.

Another UK study proves that heat-not-burn products are more effective at helping smokers quit as they deliver nicotine efficiently and meet their cravings better than lozenges or medications. In fact, the UK encourages the use of ENDS as a safer alternative to the far more dangerous traditional cigarettes. It has also adopted a proactive approach to regulating ENDS - limiting the nicotine content (20 mg per ml in e-liquids), restrictions on addition of other additives in the e-liquids (such as caffeine and taurine), etc. Apropos, e-cigarettes have not only become the most popular quitting aid, but adult and youth smoking continues to decline in the island nation.

Even the United States which has largely opposed ENDS till now, has recently approved the marketing of e-cigarettes! If India were to consider crafting appropriate legislations for the battery-powered nicotine inhalers, our consumers will also get a chance at exercising a better choice!

Conclusion

The ban on e-cigarettes defies logic. Government measures should be rooted in empirical evidence to be taken seriously!

What we need is a strong public health system to conquer the tobacco addiction. A robust tobacco control initiative - relying on well-researched and scientific products that are relatively safer for consumers – will be much more effective than an outright ban. If the authorities deem that a ban is really needed, go all out and completely prohibit tobacco products altogether! ▀

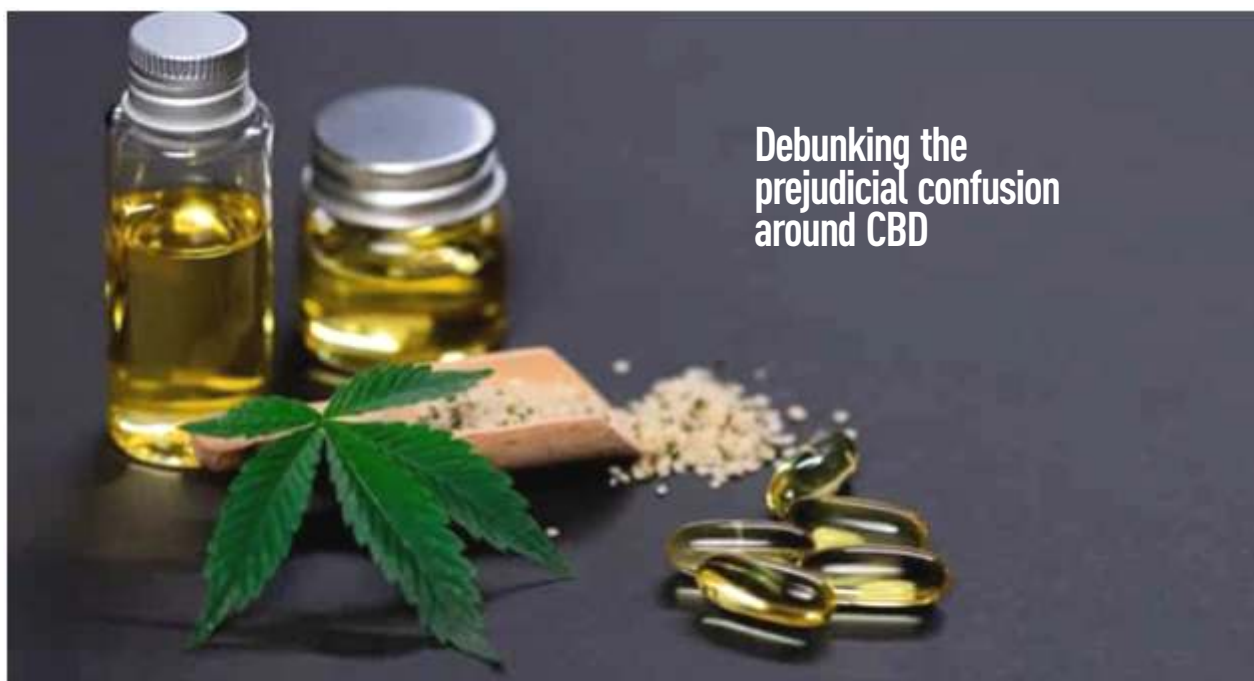


Dr. Alka Mukne
Ph.D. (Tech.)
Board Member-PSAIIIF

The Legality of CBD Calls for Better Clarity

“Cannabis has been a part of the Indian Ayurvedic system of traditional medicine for centuries. While CBD extracted from the leaves of the cannabis plant carries various health benefits, the usage of this controversial product is shrouded in myth, misinformation and outright speculation. Why is the general populace not even aware that the therapeutic use of CBD is legal in India and it can be used under medical supervision?”

— Dr. Alka Mukne



Debunking the
prejudicial confusion
around CBD

A LITTLE MORE than a year ago, CBD had become the talking point of the nation! Actor Rhea Chakraborty was purported to have administered cannabis-derived CBD oil to her late boyfriend and actor Sushant Singh Rajput. Amidst the huge media and public outcry that followed, late actor Irrfan Khan's wife, Sutapa Sikdar was one of the lone voices to appeal for legalising CBD oil in India. Ever since then, people have been wanting to know more about this cannabidiol (CBD).

For the uninitiated, CBD comes from the cannabis sativa plant which is consumed in different ways - smoking (*ganja*), chewing (*bhaang*), drinking (tea), etc. Our Vedas report that this plant was used way back then to treat several diseases.

It has two primary cannabinoid compounds – cannabidiol (CBD) and tetrahydrocannabinol (THC). THC is psychoactive and causes the euphoric 'high' which is usually synonymous with cannabis. On the other hand, CBD is non-psychoactive and is known to deliver therapeutic benefits to the body. The cannabis plants itself are of different varieties – one is hemp which contains high amounts of CBD; marijuana is another common variant which happens to be high in THC. These compounds are extracted and formulated into oils, tinctures, capsules, ointments and creams apart from gummies and other edibles. Some are for topical use while others can be consumed.

CBD products can help reduce pain, inflammation, anxiety, muscle spasms, nausea, seizures, insomnia and more apart from having antioxidant properties. Many countries around the world permit the usage of CBD for treating migraines, arthritis, epilepsy, acne, depression and other neurological disorders. What's more, it is touted to help pets get the same relief as well.

However, the name cannabis itself carries more than its fair share of stigmas. Additionally, there are several myths and false claims surrounding the use of CBD which is keeping us from tapping the huge medicinal potential of this cannabis extract. The fallacies range from CBD

being intoxicating, tranquilising and addictive to being considered illegal to consume in India.

What does the law have to say?

The International Classification of Diseases and the Diagnostic and Statistical Manual of Mental Disorders designate cannabis as an addictive substance, with recognised dependence disorders. However, cannabidiol is not listed under any of the schedules of the 1961, 1971 or 1988 United Nations International Drug Control Conventions.

A 2017 World Health Organisation report declared that naturally occurring CBD is safe and well-tolerated in humans (in relevant doses as per age/weight/sex) while not being associated with any public health effects. WHO had earlier stated that CBD 'does not have psychoactive properties and has no potential for abuse and no potential to produce dependence'.

Canada and the European Union strictly regulate the THC levels of industrial hemp, requiring it to be less than 0.3%, compared to THC levels between 3% to 30% in marijuana. EU criminalised the use of marijuana for recreational purposes while Canada has legalised its use for recreational as well as medicinal purposes. USA has also legalised hemp-derived CBD products under the Farm Bill, 2018 at the federal level. Many states are even permitting marijuana-derived CBD for medicinal, and some even for recreational use. CBD is no longer a controlled drug in New Zealand, it is considered a prescription medicine provided the product contains no more than 2% THC of total CBD.

In India, the Narcotic Drugs and Psychotropic Substances (NDPS) Act, 1985 allows the cultivation and production of cannabis only for medical, scientific, industrial and horticultural purposes, that too after taking requisite licenses and other permissions from the respective state government. It should be noted here that only extracts from the flowers or fruit tops of the cannabis plant are banned. The leaves and seeds are excluded from the purview, thus

legalising the use of *bhaang*, an intoxicant that is popular in our religious and social customs. In fact, the seeds have nourishing properties too, and are referred to as 'food of the Gods', 'Indrasana' (food of Indra) and 'Shivabooti' (Shiva's herb). Moreover, the Act outlaws only the recreational use of cannabis and its products in India.

While THC is mentioned in the NDPS Act schedule and also included in the List of Regulated Psychotropic Substances, CBD is not specifically mentioned at all. It follows that CBD that is extracted from the leaves of cannabis and used for medicinal purposes is not prohibited under any law in India. Therefore, CBD oil manufactured under a licence issued by the Drugs and Cosmetics Act, 1940 (with less than 0.3% THC) can be legally used in India under medical supervision, subject to specific conditions.

Nevertheless, the ground reality is that hemp cultivation has failed to take off in India as proper procedures have not been laid down for its cultivation, procurement and use. Most of the state governments hesitate to issue licenses for growing and cultivating cannabis. Manufacturers of CBD products have no choice but to resort to accessing cannabis plants that grow in the wild. This negates the possibility of quality control and standardisation which is actually crucial for processing CBD medications. Therefore, manufacturers also shy away from producing CBD products on a mass scale.

In fact, clear documentation of the addictive properties is perceived as a major issue with other NDPS items too, like morphine, Demerol, etc. With rampant misuse among healthcare providers, hospitals and pharmacies are reluctant to stock and distribute these drugs. This, in turn, poses great hardship to terminally ill cancer patients.

Alas, the medical use of cannabis remains almost non-existent in India till date. Certain groups are advocating the use of CBD for therapeutic purposes and encouraging the government to support the industry. The Great Legalisation

Movement India Trust is at the forefront of the movement to decriminalise the use of cannabis and do away with the unreasonable restrictions on cannabis activities. It filed a petition last year seeking directions to the central government to frame rules permitting and regulating use of cannabis, especially for medicinal purposes while contending that there were reports to suggest that cannabinoids helped in countering the impact of COVID-19.

Meanwhile, the Director, Narcotics Control, Department of Revenue, Ministry of Finance stated in its affidavit that the government has 'adopted a balanced approach on cannabis' and its use is not

and people have started buying them without a medical prescription by the doctor. Most of them don't even specify the contents of the formulations and the users are left in the dark about whether the THC content of the product is lower or higher than 0.3%. As the latter veers on the illegal side, there is a latent risk of imprisonment as well!

A Better Approach

CBD related therapies will be covered under the Drugs & Cosmetics Act, both for Ayush and allopathic drugs. Therefore, the proposed CBD-based drugs should be regulated as prescription phytopharmaceutical drugs by the DCGI. Companies that

Regarding cosmetics, the Act does not ban or have any other specific provisions related to cannabis or CBD products. However, since cosmetics have to comply with BIS standards, CBD-based cosmetics are likely to be covered under those standards.

When it comes to food with CBD as an ingredient, an application for prior approval as a proprietary/novel food (i.e., food product not standardised in India/introduced for the first time) has to be submitted under the Food Safety and Standards (Approval of Non-Specified Food and Food Ingredients) Regulations, 2017. The law defines 'Proprietary and Novel Food' as an article of food for which standards have not been



A 2017 World Health Organisation report declared that naturally occurring CBD is safe and well-tolerated in humans (in relevant doses as per age/weight/sex) while not being associated with any public health effects.

completely banned - medical and scientific usage is allowed by the law. It further notified that cannabinoids are not a first-line treatment and cautioned against the 'huge risk' of diversion of cannabis for non-medical use. The affidavit quoted a survey by the Ministry of Social Justice & Empowerment which pegs cannabis and opioids as the next commonly used substances in India, after alcohol, and at the national level, one in eleven cannabis users suffered from cannabis dependence.

However, can we continue to overlook the massive export potential in this sector? Many manufacturers are keen on setting up licensed plants, but are not getting the required support from the authorities.

In the past few years, CBD oil and other formulations are available online

wish to manufacture/import new CBD drugs should apply to the licensing authority under the New Drugs and Clinical Trials Rules, 2019. The applicant should prove the efficacy and safety in the Indian population by conducting clinical trials and submit the report in the specified format.

CBD can be used to manufacture Ayurvedic, Siddha or Unani drugs as long as they are manufactured in accordance with the authoritative texts or in the category of patent and proprietary medicines. However, Cannabis Sativa Linn (except seeds) is listed in Schedule E (I) of the Drugs & Cosmetics Rules as a potentially poisonous ingredient, thus entailing specific licencing and labelling requirements along with safety study, published literature and proof of effectiveness studies.

specified but is not unsafe. Such dossiers require extensive persuasive scientific evidence and justification and go through a rigorous process of examination. If an approval comes through, specific regulations may be amended to that effect.

Conclusion

Cannabis opens up massive potential in medicine with persistent results. While there is still much to be researched about the efficacy and safety of CBD, what we need is a proactive approach to make people aware that these products can be used legally as a medication for varied health ailments. The consumers should also be educated about how to use them in a mindful, informed and lawful manner. ▶

Dr. Shovan Ganguli is a Ph. D in Organic Chemistry from Rutgers University, USA and a Post-Doctoral Fellow from Princeton University, USA. He is currently a Visiting Faculty of Trans Disciplinary University and working on natural product processing/chemistry. He is also regularly involved in guiding research activities in the area of beverages from 'Proof of Principles' to 'Commercialisation' based on consumer understanding and delivering winning products through process development and product crafting.



DR. SHOVAN GANGULI

Innovation & Regulatory Unlocks – Transforming Alcoholic Beverages by Normalising Lo-No Alcohol



Dr. Ganguli shares his views with the readers of The Aware Consumer on how low alcoholic beverages are better and should not be treated like regular alcohol.

LOW & NO ALCOHOL (LO NO) trends of millennial consumers of modern India take us back full circle to more than 4000 years ago. In the pre-Harappan and Vedic era, alcohol was intrinsic part of our culture. Alcohol ban during the Moghul era and attempted Total Prohibition of 1977 in independent India is the backdrop under which alcohol consumption has been increasing at a CAGR of 10-12% for the last five decades. Current consumption numbers indicate nearly 40% of male population and 6% of female population are category users, of which 10% are heavy drinkers consuming every day.

India has been steeped in a culture of consumption dating back to days of Soma, a fermented beverage offered to Gods and referred to in Charaka Samhita scriptures. This ancient text talks about the duality of liquor as 'Therapy & Toxin' based on quantity consumed, something modern science now validates with fundamental physiological studies. Alcohol based herbal concoctions (*arishta* and *asava*) have been used extensively over centuries and currently by Ayurvedic physicians to treat a variety of ailments.

The current market has coexistence of high alcohol beverages like IMFL (Indian Made Foreign Liquor, 36% Total Beverages Alcohol or TBA, 42.8% alcohol v/v), Beer and Wine (13% TBA with 5% v/v alcohol content) and variety of country liquors like Toddy, Mohua, Fenni, Country Liquor (48% of TBA, 30% alcohol v/v).

The per capita consumption of 2 litres/adult/year is well below countries like France and South Korea. But WHO reports that 51% alcohol consumption is 'unrecorded or operates in unlicensed domain' driven by home brewed consumption of 28% of population and the rest being produced in unlicensed premises not coming under the purview of taxation.

Among current drinkers, younger individuals (25 years old and younger) reported consuming the lowest levels of alcohol of all age groups, while those between the ages of 46 and 54 reported consuming the most alcohol. The other shift is women experimenting with low alcoholic beverages and albeit at very low consumption of 6% at a national level but almost 15% in large metros. This shift is driven by choice of "Low Alcoholic Beverages" from across the world in large retail stores where it is not taboo to walk in and browse instead of purchasing from small shops with iron grills which stigmatises women purchasing from these outlets.

Consumer shift towards less or no alcohol, less calories and herbal and botanical based beverages is a trend driven by overall 'health and wellness' accelerated by living with COVID for last two years. A recent study by PepsiCo India and Euromonitor International on 'Impact of COVID-19 on the nutrition choices of urban Indian consumer in 2021' found that 71% of urban consumers are concerned about stress, anxiety and

overall health. Globally the demand for no- and low-alcohol beer, wine, spirits, and ready-to-drink (RTD) products continues to increase and is slated to grow by 31% by 2024.

India is at a nascent stage of development of Low Alcoholic Beverages and the question is why is this not taking off in line with responsible drinking norms when the young consumers and especially urban women are seeking products and experiences of drinking less but drinking better. The unlock will be driven by three levers of growth –

- 1) Innovative products and capital allocation
- 2) Availability in home and modern trade channels
- 3) Excise duty on alcohol percentage rather than slabs-based approach by state government.

1) Innovative products

In my work with consumers over the last decade, which is evident from social media posts of product and all consumer studies I have personally participated in as part of New Product Development journey, I have seen traction with lot of products like Ready to Drink - these have remarkable complex taste for 'young adults' with half the calories of 'carbonated soft drinks' and 'no added sugar' with goodness of herbs and fruits. They draw comments like: fantastic alternative to colas and fruit juices with a taste which makes it wonderful accompaniment to meals but keeps me alert so that if my boss calls me urgently I can "think logically and provide solutions to issue at hand" without being drunk.

Another example of a mega disruptive category which is in the making is "Cocktails in Bottle" - this is becoming a huge success in COVID and work from home era where house parties are becoming very popular. The differentiating proposition here is best 'bartenders in the world' formulating drinks with local exotic and seasonal ingredients and bringing them to your doorstep in the freshest form.

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Large Beverages Alcohol companies like Diageo and Pernod Ricard have the portfolio, brands and expertise to make this happen but the "New to World Brands" created by passionate entrepreneurs is where the disruption will originate. The entire "Digital to Consumer – D2C" with

backing from Private Equity Global Funds is making its way to India and supporting building “differentiated consumer propositions” without the need for huge brick-and-mortar national sales and distribution system as well as fine tuning the proposition and pricing/product by test marketing in small geographies through e-commerce before scaling nationally.

2) Retail Availability

Alcohol being a state subject comes under the jurisdiction of state and union governments and excise duties are levied on each drop of alcohol sold. The mandate is also to restrict consumption to 'legal drinking age consumers' which has been regimented by 'heavily grilled windows' through which alcohol is dispensed almost like a rationed quota. In today's retail and sales channel configuration of e-commerce and home delivery and browsable modern retail outlets in malls and airports where consumers can walk in and browse offerings/labels/point of sale material before making a choice is giving back the choice to consumer at the same time bringing in technology where digital/physical sale is regulated to check age before closing the sale.

3) Excise Duty and Affordability

Excise duty is often the top revenue earner for states/union territories and, with petroleum products, do not come under the remit of GST. The taxes are very high with the logic that higher taxation will reduce both consumption and harms to human health. International Alliance on Responsible Drinking (IARD) has done seminal work and published report on 'higher taxation' and 'reduction in drinking' but found no such correlation in number of countries defying the economic theory of price elasticity. This and total prohibition has been later rationalised as ineffective when 'alcohol abuse' leads to addiction and consumer willingness to pay elevated prices or trade down to 'illicit liquor' which can often be adulterated with alcohol having trace amounts of methanol leading to deaths.

A more rational approach is taxes based on alcohol content percentage which does not figure in the current taxation structure (refer to the table below which is Excise Duty in State of Maharashtra). This will bring lower alcohol products in the reach of the new generation coming of legal drinking age every year (14 million/year) and not let them move to higher alcoholic content products which make people lose control.

Category (Alcohol %)	Excise Duty	Vat
IMFL (42.8%)	300% EDP	40% (EDP+ED)
Mild Beer (5%)	175% EDP	40% (EDP+ED)
Strong Beer (8%) (EDP+ED)	235% ED	P40%
Domestic Wine (12%)	100% EDP	
Imported Wine (12%)	200% EDP	
Liquors (15-30%)	150% EDP	
Country Liquor (30-33%)	13% EDP	

EDP= Ex Distillery Price (Cost Price)

Domestic Wine: Lower taxation to grape farmers in growing states like Maharashtra and Karnataka

Conclusion

Indian millennial consumers are drinking Low Alcoholic Beverages which help alleviate tension and give happiness when consumed in moderation. Like other countries, India can legislate and regulate liquor and tax them with proportionately lower taxes for NO-LO beverages. This will give consumers a chance to exercise their choices befitting the health and wellness trends and encourage consumption of alcoholic beverages for taste, flavour and low alcohol content. States will not lose revenue as the market for relatively healthier drinks is expanding. This is a win-win for the consumers and the regulators/state coffers! ▶



Sliding on The Slippery Slope of Banning Sexually Explicit Content

The government is quick to ban all kinds of sexually explicit content – be it in the form of books, songs, movies or pornography. The attempts to ban porn websites are a case in point. This kind of censorship raises questions on the personal liberty of the citizens. For that matter, is such a blanket ban even feasible?

INDIA IS A land of deeply-ingrained morals, ethics and culture. Any kind of sexually explicit material violates our ethos and becomes a morally knotty affair. Reading such books, watching such movies or even listening to such songs is purported to spark sexual crimes and depravity in the society apart from corrupting the morality and decency of the youngsters. Even erotic content seems to rub our culture warriors the wrong way.

The government too seems to be quick to axe anything that borders on the 'bold' side. There are umpteen books which have been banned for 'obscene' content. The Censor Board (Central Board of Film Certification) is also more than eager to chop down lyrics, songs, dialogues and even entire movies that can offend the 'sanskari' sensibilities of the nation.

In such a milieu, actual adult content cannot escape the scanner, can it?

The provisions of the Indian Penal Code (IPC), Information Technology (IT) Act 2000, and Protection of Children from Sexual Offences (POCSO) Act 2012 regulate pornography in India.

Section 292 of the IPC decrees that whoever 'takes part in or receives profits from any business in the course of which he knows or has reason to believe that any such obscene objects are for any of the purposes aforesaid, made, produced, purchased, kept, imported, exported, conveyed, publicly exhibited or in any manner put into circulation shall be punished'. It deems content that is 'lascivious or appeals to the prurient interest' as obscene. Section 293 makes it illegal to sell, distribute, exhibit or circulate obscene objects to anyone under the age of 20 years while Section 294 makes it a crime to do any obscene act or sing obscene songs in any public place.

With the explosive growth of the internet, one-third of the world wide web comprises of pornographic material. Following this, Section 67 of the IT Act 2000 makes publishing or transmitting obscene material or material containing sexually explicit acts in electronic form a punishable offence.

It is clear that while the manufacturing, publishing and distribution of pornography is a legal offence, watching or possessing such content is actually not illegal.

However, when it comes to child pornography, everything from publication and transmission to mere possession is illegal under the law. Section 14 of the POCSO Act, 2012 makes it a crime to 'use a child or children for pornographic purposes' while Section 15 makes it illegal to store or possess child pornography 'for transmitting or propagating or displaying or distributing' it in any manner.

Attempts to Ban Porn

On 31st July, 2015, the Centre instructed the Department of Telecommunications (DoT) to issue an order to internet service providers (ISPs) to block access to 857 pornographic or adult websites.

A massive public backlash over the ludicrous ban followed with debates raging on social media over such blatant censorship of the internet and branding the government as 'Talibani'. Several popular networks - like Jio and Airtel - did ban watching porn, but it continued to remain easily available to the people. The government did a quick volte-face on 4th August by scaling back the order to blocking only those websites on the list that contained child pornography. There was also talk about appointing an ombudsman to look into cyber content-related issues.

Meanwhile, the then Hon'ble Chief Justice of the Supreme Court, H.L. Dattu, while hearing a PIL calling for a total clampdown on websites showing pornography, categorically stated that, "Adults in India have the right to peruse pornographic material if they want to as long as they do it within the four walls of their homes". He further rightly said that such a ban would violate Article 21 which safeguards a person's right to personal liberty.

In September 2018, the Uttarakhand High Court once again directed the Central Government to ban all obscene or sexually explicit material on the internet, pronouncing that such websites, which are 'readily available' for viewing, affect the 'psyche' of impressionable children and can lead to commission of crimes.

This was a knee-jerk order in the wake of a shockingly horrific incident at a boarding school in Dehradun where four boys, inspired by a pornographic film, lured a minor girl to a storeroom on the school premises and raped her.

Porn laws were in the limelight once again when actor Shilpa Shetty's husband and businessman Raj Kundra was arrested in February 2021 for producing and publishing adult content on a mobile app. In contrast, UK, USA and other countries allow the creation and consumption of explicit content with adult consent as long as it does not include children.

Why the Ban is Largely Improbable

It's not just about the ridiculous grounds of banning pornography. Expecting to ban something on the internet is quite a preposterous proposition in itself. Block the 800 odd sites today and as many more will crop up within no time with new web addresses and locations. A few days after the government's announcement in 2015, Pornhub, the world's largest adult entertainment site, launched a mirror website with a slightly modified URL reserved for Indian users! Incidentally, Pornhub ranks India fifth in terms of daily visitors.

Even the internet service providers contend that it is unreasonable of the government to expect them to scour the internet to identify and block obscene content! Not to mention that what actually constitutes explicit or obscene content is quite subjective in itself. In fact, the list of banned websites contained some adult joke sites too. Moreover, even sex education websites may get filtered out as obscene.



When the authorities instructed the internet service providers to block pornographic sites across India, the Twitterati voiced their opposition by starting #NextBanIdea, suggesting what the government can ban next!

Do we need the moral policing of ban on sexually explicit materials?

And what about the question of jurisdiction?

Most of the porn sites are hosted in the USA where it is legal. How does the government propose to remove content that is hosted outside its jurisdiction? Come to think of it, can the state curtail free use of the internet? Doesn't it violate the fundamental rights of speech and expression?

Do the authorities ever bother to analyse the nuanced issues involved in a ban? Haven't we seen over and over that banning something does not deter the consumers, in fact, it ends up becoming more popular! People will continue to watch porn through VPN access or proxy servers. Will the government resort to banning such legitimate software too?

What about the black market and clandestine distribution networks that will pick up in the shadow of the ban? Attempting to ban porn will not only be a futile, but also an expensive proposition, on the lines of the bans on alcohol, so to speak.

Conclusion

Even if the bans are implemented, they will not stop pornography over the internet by a long shot. Consider this: India has banned over 3,500 porn websites to date. Yet, we rank third in the world in terms of consuming pornographic content! ■

Bans are a Shortcut, Not the Complete Answer!



Consumers lament that irrational bans are never a solution to the problems ailing India. Following is a dekko at how they think the government is just chasing its tail and what they feel should drive the way ahead.

THERE ARE RISKS all around us. Riding a motorbike presents a grave danger to life and limb. So should we mandate the wearing of helmets to reduce the risk or ban the bikes altogether? Similarly, the government has to realise that applying blanket bans will never be effective. They have to take the middle road rather than the short-sighted approach of bans. This only reduces the symptoms, but we have to think of managing the disease in its entirety!

– Aarti Sanghi, Kanpur

We have banned books, we have banned movies, we have banned liquor, we have banned porn. When will the country grasp that banning just does not work! Pick up anything that has been banned and it is the same story always. There are too many legal leakages in the system. The black market gets going in full swing and will plug the needs of the people. Even if the government wants to ban something, it should first consider effective implementation. Tough measures call for proper monitoring mechanisms. With the kind of dismal implementation that is in play, India is only making a fool of itself time and again!

– Ankur Gupta, Hyderabad

Humans always have and always will engage in risky behaviour. Banning things never has and never will stop people from getting their hands on them. People will continue to find ways to do things they want to do; bans only encourage 'jugaad' ways of circumvention. Every banned product finds its customers through some avenue or the

other. So why allow the laws to become a mockery? Think of intelligent solutions instead of imposing stupid bans on the public!

– Vijay Agarwal, Ratlam

The idea of restricting access to certain things by imposing a ban can seem very effective on paper. But, 'out of sight, out of mind' does not work in real life. Inefficacious policies only appear to invade the freedom of the people. This is why a ban just drives people to want to watch, do, consume the restricted item. And this mindset cannot be changed easily. Why not explore other avenues that do not restrain the people; strong policy and enforcement can do the trick in many cases.....

– Yash Jagdale, Nagpur

It is very easy to impose a ban. But does the government consider the manpower and resources that are consumed in cracking down on the illicit producers, vendors and consumers? The time and efforts of law enforcement can be put to better use for sure rather than intruding on the private life of the citizens. Therefore, the authorities should come up with laws that are reformative and not retributive. Entice the consumers to follow the right path rather than driving their curiosity to taste the 'forbidden fruit'!

– Ashwani Tyagi, Bulandshahar

UPDATE ...



Moving a Step Ahead

Update on the December edition on Rising Cybercrime – Cybersecurity cannot be an afterthought anymore!

Measures Underway to Combat Cybercrimes

THE UNION GOVERNMENT is making prevention and detection of cybercrime a priority with national-level mechanisms to track, block and recover money from fraudsters.

A recent DGP-IGP conference - attended by Prime Minister Narendra Modi and Home Minister Amit Shah – proposed the option of blocking mobile numbers involved in cybercrimes, on a real-time basis. This will be a first-of-its-kind move that is under discussion at the Ministry of Home Affairs (MHA) as part of a larger plan to effectively tackle cybercrime. The MHA officials are also looking at making the National Cyber Crime Reporting portal – where people can lodge online cybercrime complaints - more effective while also creating a national-level cyber-crime database to identify and track criminals.

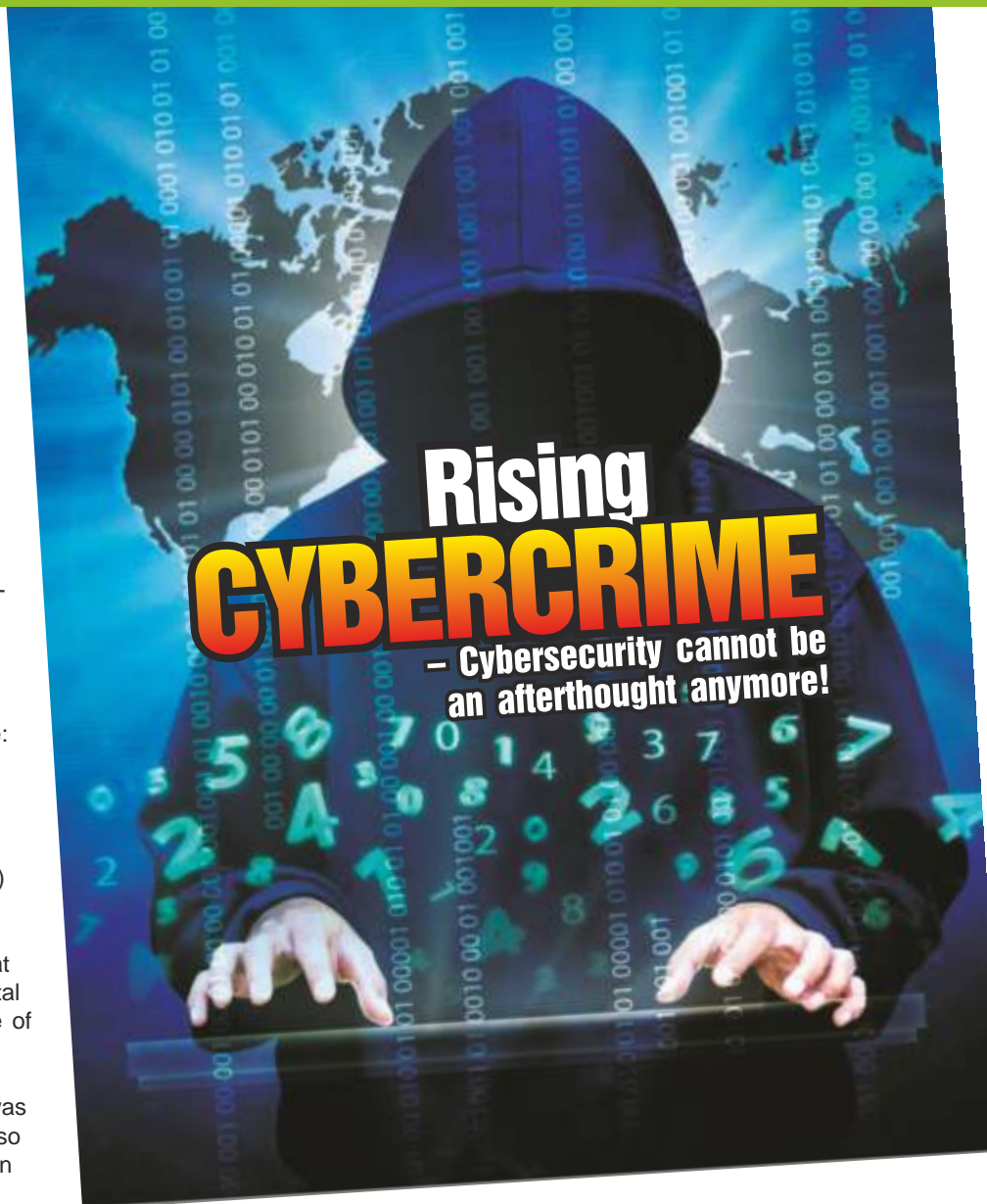
While chairing another meeting of the Consultative Committee on 'Cyber Crime: Threats, Challenges and Response' in December 2021, Home Minister Amit Shah stated that 100% FIRs are being uploaded on the Crime and Criminal Tracking Network and Systems (CCTNS) in 99% of police stations in the country. 16,347 police stations are connected to CCTNS as of now. He also revealed that the National Cyber Crime Reporting Portal had received six lakh complaints till date of which 12,776 were converted into FIRs.

Furthermore, the work of preparing analytical tools to prevent cybercrimes was 40% complete and the government is also actively training policemen and lawyers in the field. The meeting even discussed constituting a Joint Cyber Crime Coordination Teams of states and the Centre apart from building a national and international cybercrime volunteers' framework.

Other agencies are also active in the cybercrime control arena. The MHA said that the National Cyber Crime Threat Assessment Unit had issued 142 advisories on preventing cybercrimes and blocked 266 mobile apps till date. Similarly,

the National Cyber Crime Forensics Lab had given 3,800 services to various agencies and the National Cyber Crime Training Centre had trained 8,075 policemen.

It is hoped that the authorities will continue to augment prevention and control of cybercrime incidents and their efforts will bear fruit by denting the extraordinary rise in instances of crimes in the cyber space! ▶



YOUR OPINION MATTERS

Letters to the



(December issue: Rising Cyber-crime - Cybersecurity cannot be an afterthought anymore!)

We are truly humbled by the praise and acknowledgment that is flowing in from varied sources. Please feel free to send in your comments, views or feedback on The Aware Consumer magazine at bejonmisra@theawareconsumer.in – we will publish your opinions and implement your feedback while ensuring that your voice is heard on the right platforms.



I read the latest issue of The Aware Consumer with excitement as the subject is very contemporary, relevant, cutting edge & has universal utility. The range of topics covered from cybersecurity, e-commerce to misinformation, is a must for all

consumers in the fast moving digital era. The current pandemic has accelerated the adoption of digital platforms by everyone & therefore, multiplied the acute need for public literacy, on these topics.

I congratulate the team of this special magazine & its Editor, Prof. Bejon Misra, for a very useful service to our society. I am sharing this within my circles & would encourage all readers to do the same.

Best Wishes,

– Dr. Vipin Varma, Delhi
thotconsultants@gmail.com



The virtual world has become real today. Issues of cybercrime are occupying centre stage. Your effort is very appropriate and comes at an appropriate time for helping the public at large.

– Advocate Ahmad Abdi, Mumbai
abdiandco@gmail.com



This organisation is doing a wonderful job for protection of consumers in open market under able leadership of Prof Bejon Misra. The organization is doing a much better job in creating awareness amongst people for exercising their right. Last but not the least is cyber security - a very useful aspect in this growing age

of digitalisation. My compliments and good wishes at all times to entire team.

– Dr Awadhesh Agarwal, Gorakhpur UP
gorakhnathbloodbank@gmail.com



The issue on Cyber crime catches the nerve of the people as it resonates with the trying times of today. We cannot believe that bad elements are exploiting the innocence and lack of awareness of the public even now. The proliferation is having a negative impact on the entire generation of internet users in some way or the other. We have to be careful at every step.....

Thank you for such an exhaustive issue that will make the readers aware of what is happening right under their nose! Hope the government comes up with some tough measures to ensure cyber security for the netizens of the country.

– Banita Samal, Bhubaneshwar
banitasamal58@gmail.com

SOURCES / REFERENCES

<https://en.wikipedia.org/>
<https://www.downtoearth.org.in/>
<https://www.researchgate.net/>
<https://www.thehindu.com/>
<https://www.indianexpress.com/>
<https://www.indiatoday.in/>
<https://timesofindia.indiatimes.com/>
<https://www.business-standard.com/>
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<https://www.reuters.com/>
<https://www.cnbc.com/>

<https://vikaspedia.in/>
<https://citizenmatters.in/>
<https://www.orfonline.org/>
<https://www.teriin.org/>
<https://www.accessnow.org/>
<https://cis-india.org/>
<https://medium.com/>
<https://www.weforum.org/>
<https://www.wri.org/>



for the next issue in March 2022 dedicated to
World Consumer Day – #FairDigitalFinance.



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– Dr. Ravi P. Singh, Secretary-General, Quality Council of India ”

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