

A | S | C | A | D | E Committee Against Smuggling and Counterfeiting **Activities Destroying the Economy**













Chair's Message



Anil Rajput, Chair FICCI CASCADE, Sr. VP Corporate Affairs, ITC Ltd

'Be it smuggling, counterfeiting or tax evasion, governments are losing crores of rupees. In the process, legal industry is being undermined and consumers exposed to poorly made and unregulated products. FICCI CASCADE advocates the development of a multi-stakeholder approach in voicing these concerns by engaging regularly with the industry, governments, enforcement agencies, media and civil society. CASCADE has been vigorously organizing interactive sessions and programmes across India targeted at the stakeholders in a concerted manner to curb the twin menace of smuggling and counterfeiting. I am happy to inform that the deliberations during these activities have been well highlighted by the media. It is also heartening to see that the our efforts have perhaps given the much needed thrust to the cause

and propelled the required action, as seen from the spate of seizures by enforcement agencies across the country in the recent months'.

FICCI CASCADE in NEWS

October 10th, 2015 DNA

Illegal trade causes loss of ₹39,000 crore in 2014

CATRING 20% OF FATAL VEHICULAR ACCHENTS: SAY EXPERTS

town the Profession and in Character and in Character and MALINGA quester Generalized Services and Commercial and Character and Commercial and Character and



News Flash

Rise in illegal sale of ciggies

October 10, 2015 | Ahmedabad Mirror

Rise in illegal sale of cigg

High trade margins due to evasion of duties makes it lucrative for traders in state

ujarat is among the fastest growing mar-kets for illegal eigarettes and auto components in the country. This was re-vealed by the (FICC) Cascade at an interactive session with mediapersons on Fri-day. "Cigarettes are willingly pushed into the state illegally because of high trade margins on account of evasion of duties, including excise and sales tax, without any health warnings re-

and sales tax, without any health warnings required as per Indian laws or other mandatory declarations like MRP, date of manufacture or place of manufacture, "said Deep Chand, exspecial commissioner of police, New Delhi.

According to P C Jha, former chairman of Central Boardoof Excise & Customs, "The supply of legal cigarettes has shown a decline and the market has been taken over by illegal willers due to high VAT on cigarettes. Price of an illegal cigarette-pack is one fifth the piccoof a legal packet in the market. Smuggled international contraband cigarettes are another big menace courtibuting significantly to the growth of filegal cigarettes in Gujarat that has a number of ports and

an international airport."

The state also saw a significant growth in illic it trade in puckaged food and personal goods, computer hardware, automobiles, mobile phones, tobacco and alcohol, besides the media and entertainment industry including motion pictures sectors and broadcasting in the past

couple of years.
As per the report, the total loss to the govern-ment estimated for 2014, on account of the fillicit mentestimates for 2014, on account of the above seven sectors is 83 39.239 crone, up from 83 26,190 crore in 2012. The loss is inclusive of both indirect and direct taxes — Rs 34,020 crore in indirect taxes and Ib 5,218 crore in direct taxes

55Trivedi,JGP(EOW, CID Crime), Governmen 55 Trivedi, IGP (EOW, CID Crime), Government of Guijarat said, "The total cases of prohibition of IMPI. in 2013 was reported to be 18,098 amounting to Rs 84 crore, while in 2014, 13,327 cases were filed amounting to 62 crore. Tall July 2015, 10,496 cases were reported, totalling 44 crore."

The total mumber of cases for PASA (Prevention of Anti-Social Activity) reported in Guijarat were 4,327 in 2013, 3,202 in 2014 and 2,473 in 2015 up to June, Trivedi added.

Recent Initiatives



Interactive Session on "Illicit Trade - A Threat to our National Interest"

11th September - Bhubaneshwar, 29th September - Shimla, 9th October - Ahmedabad, 15th October - Hyderabad



In order to highlight the magnitude of illicit trade activities such as counterfeiting and smuggling, FICCI CASCADE organized Interactive Sessions on 'Illicit Trade - A Threat to our National Interest', in Bhubaneshwar, Shimla, Ahmedabad and Hyderabad.

The key speaker at the interactive session in Bhubaneshwar was Mr. Satyajit Mohanty, ADG, Odisha Police. Mr. Mohanty stated that illicit trade activities would not only challenge national security but also have international ramifications; as such activities hindered India's growth and ruined its image internationally. National initiatives such as Make in India, Digital India and Innovative India will also take a back seat if this issue is not taken up strongly. Mr. Mohanty suggested that there should be special police stations to address IPR related cases in every district and police training academies also needed to revise training syllabus that emphasized on IPR cases.

Mr. Sanjay Kundu, Additional Director General of Police, Government of Himachal Pradesh was the key speaker at the interactive session in Shimla. Mr. Kundu observed that counterfeiting and smuggling encouraged the culture of fraud causing huge losses of revenue to the government as well as industry. Currently, it was important for India to have a positive perception in the global market for which conscious efforts have to be made by all stakeholders to work concertedly in curbing this menace of illicit trade for sustained economic development. The police would play a very important role here as economic frauds need to be addressed at all the levels by the police department. Mr. Kundu also stressed on the need for continuous capacity building of police officers to help them play an effective role.

In the Ahmedabad interactive session, Mr. S. S. Trivedi, IGP (EOW, CID Crime), Government of Gujarat was the key speaker. Mr. Trivedi stated that the Gujrat police was very



serious about taking action on such unlawful activities and urged the consumers to not only boycott illicit products but to cooperate with police to tackle the issue.

Mr. Ravi Verma, Deputy Inspector General of Police, Telangana, key speaker at the interactive session in Hyderabad, stated that the magnitude of counterfeiting and smuggling was significant and was affecting India's growth trajectory. He said that information sharing between the

stakeholders was very important to contain the menace. In this regard, he observed that developing a list of regular offenders across the country and sharing of this data by the police departments across the states would be an effective step.

All the interactive sessions were well participated and covered by the media.

Candle Light Congregation - Fight against Smuggling and Counterfeiting

30th September, 2015 | Shimla



As a part of its series of nation-wide awareness campaigns to highlight the issue of growing menace of counterfeiting and smuggling, FICCI CASCADE organized a seminar and candle light congregation at East Bourne Hotel, Shimla on September 30, 2015.

Mr. Anirudh Singh, MLA from Kasumpti, was the Chief Guest at the congregation. He said that counterfeits and smuggled goods were threatening the key elements of India's growth strategy vis-à-vis technology, invention and innovation which were the key elements in India's economic developmental agenda. Congratulating FICCI CASCADE for taking the initiative to generate awareness among consumers on the perils of counterfeits and smuggled goods, Mr. Singh emphasized that illicit trade curbed the country's economic independence. He urged the participating students to take a pledge against using fake products and to fight the menace of smuggling, which was in the larger interest of the national economy.

Mr. P C Jha, Advisor, FICCI CASCADE & Former Chairman, CBEC, emphasized on the need to curb this menace. He observed that it was extremely vital for consumers, particularly the youth, on being aware of illicit trade practices. Mr. Jha also emphasized that purchases, as far as possible, should be done against bills. Mr. Deep Chand, Advisor, FICCI CASCADE and Former Special Commissioner, Delhi Police, stated that illicit trade practices such as counterfeiting and smuggling were an economic offence, created a black market or underground economy, in which

goods and services were traded illegally. Consumer participation at large in the fight against counterfeiting and smuggling is crucial to prevent the growing circulation of such goods.

Over 150 students with candles in their hand and banners stating 'Buy Make in India' and 'Say No to Smuggled Goods' participated in this event with much enthusiasm and interest. The candle light congregation was organized to highlight the issue and focus on the growing menace of counterfeiting and smuggling.





Seminar on

"Curbing Counterfeiting and Smuggling - An Imperative for Indian Economy"

10th October, 2015 | Ahmedabad







"The damage caused by counterfeiting and smuggling is threefold - impacting producers, consumers and government. We should all participate in this collaborative process initiated by FICCI CASCADE in order to uproot this menace." This was stated by Dr. Kiritbhai Solanki, Hon'ble Member of Parliament, in a seminar organized by FICCI CASCADE in Ahmedabad on addressing counterfeiting and smuggling and aiming to spread consumer awareness against the menace of illegal products. The MP also urged the industry and consumers to come forward and help the Government and police in preventing illicit trade. Dr. Solanki, who is a member of the Standing Committee on Finance, Government of India, assured that he would take up the cause with the committee for further discussion on this growing crisis. The seminar brought together experts to raise concerns over the growing illicit trade and to create large-scale awareness among the impacted segments of the society. Illicit trade has attracted considerable attention among trade associations, government and enterprises.

Mr. Jatin Trivedi, Chairman, Legal sub-committee, FICCI Gujarat State Council, welcomed the dignitaries and highlighted the objectives of the seminar like generating awareness, interaction with law enforcement agencies and the need for sharing best practices. He observed that India was at the world's spotlight with a most dynamic economy. Hence, safeguarding the rights of legitimate industries is imperative. FICCI CASCADE advisor, Mr. P. C Jha, also Former Chairman, CBEC, pointed out that illicit trade had become an economic problem of international importance

and was growing dramatically across the globe. Strict legislations, enforcement and protection of intellectual property rights are required to curb the peril. Mr. Jha also shared his thoughts on how high rates of taxation on products are aggravating the problem of counterfeiting and smuggling, and stressed that enforcement of high taxed goods should be of high priority for governments to avoid tax evasion.

Dr. Bhagirath Patel, Chairman, Innovation Programme Drive, Gujarat Innovation Society, in his address, said that over the years the quality of life had changed because of innovation. However, counterfeiting hampers innovation leading to a poor quality of life. He also emphasized on the need for protection for legitimate products.

The seminar also marked the enthusiastic and encouraging support of Ms. Anindita Mehta, DGM, Consumer Education and Research Center, Ahmedabad. Ms. Mehta stressed on the fact that sustained awareness was required amongst consumers which should also include awareness on quality standards. Ms. Mehta complimented FICCI CASCADE on its initiatives which, she said, were not only in public interest, but in the larger interest of the nation.

Following the Inaugural Session, a panel discussion on 'Organized Crime Surge in India - Role of Enforcement Agencies in Combating Smuggling and Counterfeiting' was held, which saw lively interactions of representatives from enforcement agencies and the audience. Panelists included Mrs. Meera Ramnivas, Addl. DGP (CID Crime), Government of Gujarat and



Ms. Vrindaba Gohil, Additional Commissioner, Customs, Mundra, Gujarat, The session was chaired with by FICCI CASCADE Advisor Mr. Deep Chand, who remarked that illicit trade activities were a huge challenge for the enforcement agencies. He emphasized the role of enforcement officials in fighting this menace though, he maintained, that this was not possible without adequate support from Industry players and consumers. All the panelists agreed that information sharing among all the stakeholders was a key towards curbing this menace.

Seminar on

"Curbing Counterfeiting and Smuggling - An Imperative for Indian Economy"

16th October, 2015 Hyderabad





FICCI CASCADE, with a view to engage all relevant stakeholders like government representatives, enforcement agencies, excise and customs, consumer activists, media as well as industry and legal experts; and to sensitize them on the issues of counterfeiting and smuggling, organized a seminar in Hyderabad on "Curbing Counterfeiting and Smuggling - An Imperative for Indian Economy" on October 16, 2015. The seminar brought experts from different disciplines of life under one roof to raise the concern over the growing illicit trade and to create largescale awareness among the impacted segments of the society.

Counterfeit trade has attracted considerable attention among trade associations, government and enterprises. Therefore, to support the cause, the seminar witnessed huge participation of over 80 delegates who were very enthusiastic to fight the menace.

Mr. Devendra Surana, Co-Chairman, FICCI Telangana & Andhra Pradesh State Council & Managing Director, Bhagyanagar India Ltd, welcomed the dignitaries and highlighted the objectives of the seminar like generating awareness, interaction with law enforcement agencies and sharing best practices. He said that the market for smuggled, counterfeits and contraband products was spreading rapidly and was one of the biggest challenges faced by the Indian industry. FICCI CASCADE adviser Mr. P C Jha pointed out that counterfeiting was the biggest scourge impairing the world's economy at present and it accounted for almost 10% of the current global trade. Mr. Jha elaborated on the magnitude of the problem and how illicit trade has been impacting legitimate industry revenue, government taxes, and the health and safety of the consumers.

Consumer rights activist Mr. Thakur Raj Kumar Singh, Chairperson & Managing Trustee, Human Rights & Consumer Protection Cell, emphasized on the role of organizations like FICCI and appealed to the industry to help protect the "consumer". He underlined the fact that consumers were the ultimate victims of counterfeiting and smuggling, and their rights were being violated by counterfeiters and smugglers. He stressed on strengthening the penal provision to instill fear in counterfeiters and smugglers to curb the menace.

Mr Deep Chand, Adviser FICCI CASCADE and former Special Police Commissioner, Delhi Police, pointed out that the problem of counterfeiting and smuggling needed consumer support and active involvement towards the cause. He also stressed on the need for registering complaints with the police and customs. Mr. Chand stated that the laws were adequate but the need was to put take up the on a priority basis by the government while enforcing laws and regulations.

Mr. Sunil Jain, Commissioner of Customs, Central Excise and Service Tax, Hyderabad Zone, said that the role of customs had become more challenging with the growing sophistication in the manufacturing of counterfeit products. He invited the growing cooperation of the right holders to help the customs authorities for better management of the problem. Mr. Srinivas Reddy, Deputy Inspector General of Police, Telangana, expressed his concern towards the growing level of illicit trade and said that the problem could no longer be disregarded. He also stated that smuggling, counterfeiting and other such illicit practices surreptitiously cascaded into national security issues like trade in narcotics, money laundering and terrorism. He cautioned the audience that our nation's economic security was at stake and illicit economic activities were damaging the country's economic vitality.

Awareness through ART



Article



Mr. P. C. Jha Advisor FICCI CASCADE & Former Chairman, Central Board of Excise and Customs, India

PUBLICATION: THE HINDU BUSINESS

LINE (HBL)

EDITION : NEW DELHI

DATE : 20TH OCTOBER 2015.

PAGE NO.: 8

Grey market can scupper 'Make in India'

Illegal products have flooded markets such as liquor and hand-held devices, thanks to a perverse tax structure

the context of Wale is Indu. the current emphasis is on rumbeg fudia tota a manufac-A rating bub and setting the op-portunity arising out of the slowdown in China. Indian companies should be encouraged to build strong intellectual property and invest in Ball.

A tourtry that can amore potennal investors of a reasonable level of peture is able to attract invest-ments. It should also ensure that the integrity of the levestment is protected, in other words, apart from infrastructure and a haplefree environment, one needs an administrative set up to check illicit

The tartiness in enforcing masket rules perhaps explains the sing-gish progress of the 'Main in locks' mon, which targets raising the dure of manufacturing in the GP to 25 per cent by 2022 and generate over 100 million new jobs over the

Pictals of counterfeiting

to an environment where legamade industry players are op-against allich trade practices such



Where piracy is rampare in the movies common

for stranger protection of their brands and rights, The availability manifestrone

fo 200, a Boot Cascade (Commitbriefring Attitities Destroying the interior of illicit markets in seven on, another, henderstring and key industry sectors, the consequent lastes to the industry in sales

In 2005, we developed sector-spesest compared to markets that of culti reports in distributions, estinating the size of grey marken in branch and rights, The availability in the factority section, projecting of large quantity of illicit goods unthe resultant losses to the inclusive deviaties the growth of and government, while also assets ing th impact on innovation and to verment. The secons included tre Against Struggling and Cous- IMCG packaged goods, FMCG personal goods, automobiles, comput-Economy' study established the en--- or hardware, tuchtic phones, turno

motion pictures. The study - High Movies, a Blend

the indicated manufacturing sectors has increased by 48.4 per cont. Ing greater demand for cheap an in just two years, from \$70,969 constraint substitutes, since excrose in 200 to 7105,381 cross in 20 344. The largest increase is seen in the alcoholic beverages and mobde phones industries, where losses have risen by 151 per cent and 10

tax resense to the government for manufacturing industries estimated for 1014 on account of the illigit markes is \$39.219 crore, up trois \$16,350 more in 2002. If incremental costs incurred by the Govern-ment on account of welfare mearuses, inforcement and legislation. Evenus are expected to see an eve and interest costs are also estimaed,thelmus would be sgraft carely higher Among serrors in the manu-facturing industry, loss to the goventraces to terms of reserve a highest from the tobacco industry (2) per cent) followed by mobile phones industry (17 per cent), alcohal industry (16 per cent), PMCK peckaged food (16 per cent), and FMCG personal goods (15 per cent). In the motion pictures industry, the loss to the industry during 2014 is as counterficing, entergoing, and and to the government in reverse. In Car National Intents — released estimated to be 4 types come up - and not become law Counterficing.

es 3005 estimated that the loss to processels High tax rates lend to exacerbare illicit murkers by crew tion of taxes increases profit mus pits. High turify and taxes creat opportunities for those involved in allicat markets to step in. This is put tirolaty true for the tobacco and a cohol industries. These industries are not only highly smod, the to inversite is compiles, and also dua On the other hand, the total loss of in nature for tobacco products. He tides, there are considerable differ ences in tax rates between State which open up opportunities to

imperior. to touch 135 billion and GEP to cross 13 trillion by 2000, the nex increasing demand by the Indian consumers, supported by higher doposable incorner, greater urban isation and changing consumption patterns, According to a study H per entreoununces in India are vic tiess of counterfeiting in some way of the other. Counterfeiting will un dernine effort to ensure that Moir in India' is a success.

The with read chairman of the Central Brond of Excha & Customs

News



International News

Tobacco smugglers hit with confiscation orders

02 September, 2015 | Fore Court Trader

A company director, who was jailed for smuggling over three tonnes of tobacco disguised as scented pot pourri through Manchester airport, has been ordered to repay £34,500 in stolen tax. Mohammed Shazed Jameel was ordered to repay the money following a financial investigation by HM Revenue and Customs (HMRC). HMRC traced 33 illegal freight consignments back to Jameel, which added up to over three tonnes of tobacco. He was ordered to repay £34,500 within three months or face a compulsory default jail sentence of an additional two years. Jameel had been jailed previously for 38 months on 17 April 2015 at Manchester Crown Court for the smuggling offences.

http://www.forecourttrader.co.uk/news/fullstory.php/aid/10404/Tobacc o smugglers hit with confiscation orders.html

Custom deploys 11 gunboats to fight piracy, smuggling

Sep 8 2015 | Daily Trust

The Nigerian Custom Service (NCS) said it has deployed 11 gunboats to fight pirates and smugglers within the Western waterways comprising Lagos and Ogun states respectively, saying that the Service was forced to deploy its gunboats following the increasing number of pirates who have resorted to the use of the waterways to carry out their criminal activities. The Custom Area Controller (CAC), Western Marine Command, Umar Yusuf made this disclosure in Lagos at a public destruction of about 2,000 cartons of imported frozen products. The products were said to have been seized by operatives of the command on Sunday and Monday at Badagry area of Lagos.

http://www.dailytrust.com.ng/news/news/custom-deploys-11-gunboats-to-fight-piracy-smuggling/109957.html

3. Cigarette haul worth £500,000 intercepted by HMRC officers

9 SEPTEMBER 2015 Get West London

Two men from Hounslow have been arrested on suspicion of smuggling £500,000 worth of cigarettes concealed in washing machines. The men, aged 38 and 41, were arrested on Friday (September 4) following a tobacco smuggling operation by HM Revenue and Customs (HMRC). A third man, aged 46 and from Poland, has also been arrested. Officers from HMRC seized 2.5m cigarette cartons, which had arrived from Poland, from a self-storage unit in Twickenham.

http://www.getwestlondon.co.uk/news/west-london-news/cigarette-haul-worth-500000-intercepted-10014091

National News

Over a fifth of FMCG products in India are fake or smuggled

September 8, 2015 | Business Standard

Walk down the public bridge of any local railway station here or any other city for that matter and it is not uncommon to find popular consumer products available dirt cheap. But before you rush to make a purchase, consider it might be a fake. Despite the war mounted by fast-moving consumer goods (FMCG) companies on counterfeiting, the menace hardly seems to have abated. A recent study by advisory firm KPMG and the Federation of Indian Chambers of Commerce and Industry (FICCI) shows sales of fake consumer goods are growing faster than the overall consumer products market.

http://www.business-standard.com/article/companies/over-a-fifth-of-fmcg-products-in-india-are-fake-or-smuggled-115090800043 1.html

'Counterfeiting of goods could mar 'Make in India' campaign'

September 16, 2015 | Business Standard

Prime Minister Narendra Modi's Make in India campaign will succeed only if products manufactured in the country are reliable and authentic, a top official of a pan-India association of manufacturers of anti-counterfeiting solutions has said, adding that FMCG (Fast Moving Consumer Goods), especially packaged drinking water, were the most counterfeited in India.

http://www.business-standard.com/article/news-ians/counterfeiting-ofgoods-could-mar-make-in-india-campaign-115091600506 1.html

3. Cigarette smuggling racket busted, six held

Oct 28, 2015 | Times of India

HYDERABAD: Directorate of Revenue Intelligence (DRI) sleuths busted an international cigarette smuggling racket operating from Hyderabad and arrested six persons.

Acting on a specific alert, the DRI sleuths conducted surprise checks at the Air Cargo Complex of Rajiv Gandhi International Airport (RGIA) at Shamshabad on October 13 and seized 8.5 lakh 'Djarum Black' cigarettes worth Rs 51 lakh. During investigation, the DRI sleuths found that the fraudsters were smuggling foreign-made cigarettes from Dubai in the guise of engineering goods, paper machine spares and computer parts consigned to fictitious firms in Hyderabad and surrounding areas.

http://timesofindia.indiatimes.com/city/hyderabad/Cigarette-smuggling-racket-busted-six-held/articleshow/49560179.cms

Upcoming Events

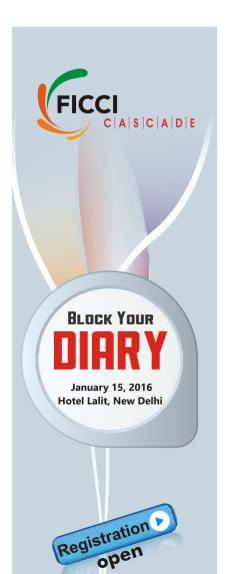


International Conference on Illicit Trade - Threat to National Security and Economy

15 January, 2015 | The Lalit, New Delhi

FICCI CASCADE had successfully organized the first International Conference in 2013 which sought practical recommendations to resolve the menace of counterfeiting and smuggling. Taking the agenda forward, the 2nd edition of the Conference, titled 'Illicit Trade - Threat to National Security and Economy' is being organized on 15th January

2015 at the Lalit Hotel, in New Delhi. This conference will be a day-long event and is structured to ensure that national and international stakeholders can dialogue with policy makers to identify opportunities for joint action between governments and the private sector to combat illicit trade. The conference will also aim to design tangible solutions to countering illicit trade in strategic markets.



International Conference

ILLICIT TRADE THREAT TO NATIONAL SECURITY AND ECONOMY

SESSIONS ON

- Countering Illicit Market Operations - Synergies to Secure Our Future
- Challenges in the E-Commerce Market Place
- Border Protection:
 International Cooperation in
 Enforcement
- Understanding the Value of Legal Trade Practices -Building Global Competitiveness through Buy 'Make in India'

DELEGATES FROM

- Policy Makers
- **■** Enforcement agencies
- Industry
- Legal experts
- **■** Consumer Organisations
- Media
- Consumers

For Registration, please contact:

Ms. Swati Srivastava swati.srivastava@ficci.com

Mr. Dipankar Barkakati dipankar.barkakati@ficci.com Ms. Kashifa Hasan kashifa.hasan@ficci.com

Ph: +91 11 23487528 / +91 11 23487578

Contact Us
Dipankar Barkakati
Additional Director - FICCI
dipankar.barkakati@ficci.com

Join us on FICCI CASCADE Facebook page: https://www.facebook.com/#!/FicciCascade