



8TH edition  **MASCRADA 2022**
MOVEMENT AGAINST SMUGGLED & COUNTERFEIT TRADE

**Unleashing the Power of Consumers in the
fight against Smuggling and Counterfeiting**



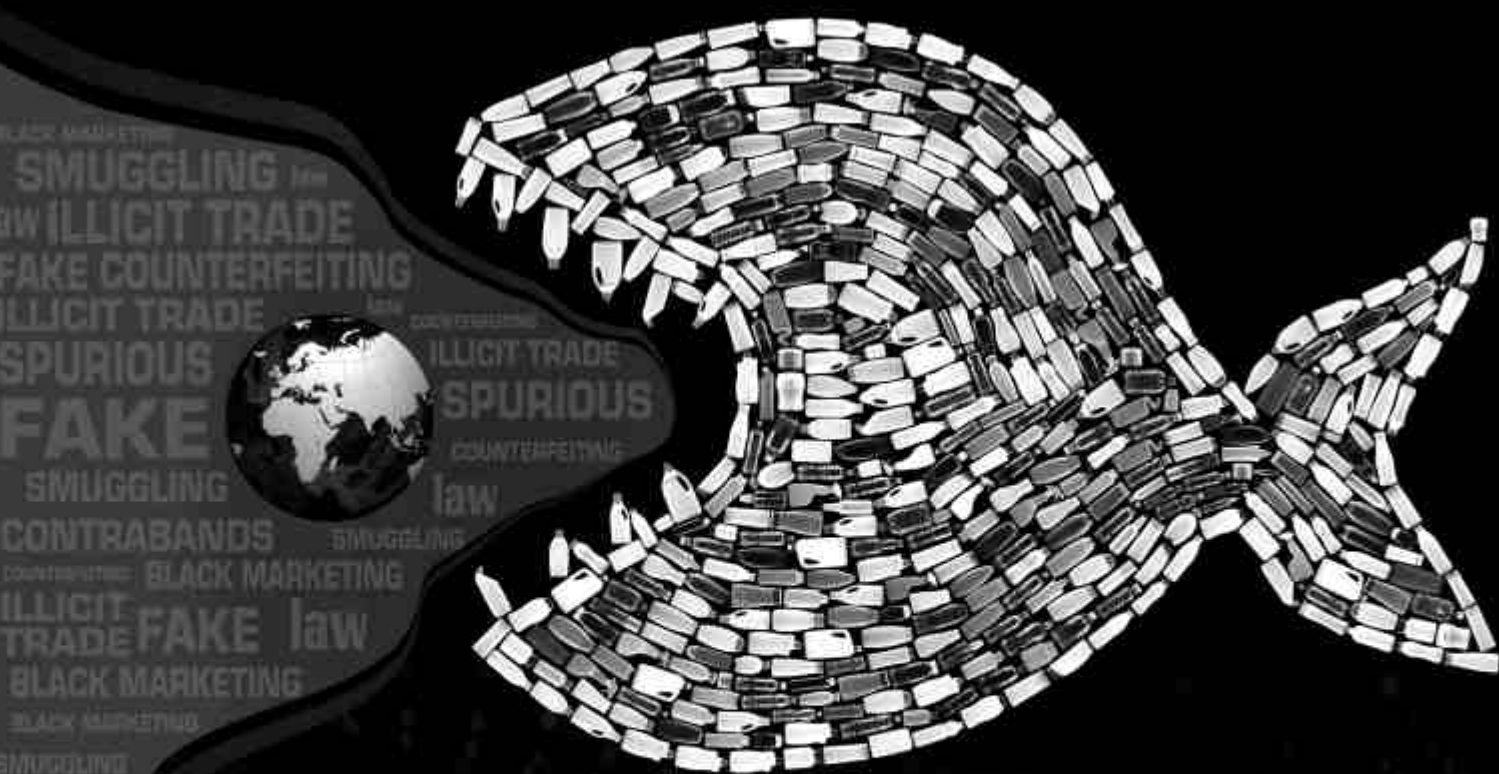
KEY DELIBERATIONS





8TH edition  **MASCRADA 2022**
MOVEMENT AGAINST SMUGGLED & COUNTERFEIT TRADE

**Unleashing the Power of Consumers in the
fight against Smuggling and Counterfeiting**



KEY DELIBERATIONS



illicit Trade

Illicit trade viz smuggling and counterfeiting are considered as one of the world's fastest growing economic activity. They have spread adverse effects on trade, foreign investment, employment, innovation, criminality, environment, and most importantly, on health of the consumers. It escalates each day in scope and magnitude. Over the period of last ten years the magnitude of illicit trade has grown from USD 650 billion to about USD 3 trillion. This illegal business operation represents 10 per cent of the global trade and has rightly been termed as the prime criminal activity of the 21st century by the FBI.

Illicit trade and transnational organized crime are interlinked. It restricts economic growth, individual prosperity, and corporate profitability. Transnational organized crime has close links with criminal syndicates, both at national and local levels. Such links result in trafficking of people and goods; and also support international terrorism.

No country is immune to the impact of counterfeiting and smuggling and no single sector can be said to be an exception. The wide availability of such products is one of the biggest challenges faced by Indian industry, impacting 'Brand India' globally. According to a report by FICCI CASCADE estimated loss to only 7 industry sectors was Rs. 1,05,000 crores in 2013-14, with an increase of 44% between 2011-12 and 2013-14. The total revenue loss to the government on account of this illicit trade was Rs. 39,000

crores in 2013-14 from these 7 sectors alone.

In another report published in the year 2016 in respect of 5 top items of smuggling, also highlighted the large adverse impact of this illegal activity on Indian economy and the government's revenue. FICCI CASCADE's recent report titled Illicit Markets: A Threat to Our National Interests, which examines the impact of illicit trade in five key industries in India — Mobile Phones, FMCG-Household and Personal Goods, FMCG-Packaged Foods, Tobacco Products, and Alcoholic Beverages. According to the report, the size of illicit market in the above-mentioned industries was Rs 2,60,094 crore for the year 2019-20, with the FMCG industry — household and personal goods, and packaged foods — together accounting for 3/4th of the total illicit value of goods in five key industries. The report further estimates that unlawful trade in the five above-mentioned industries results in a total estimated legitimate employment loss of 15.96 lakh. The estimated tax loss to the government due to illicit goods in these industries is Rs 58,521 crore, with two highly regulated and taxed industries, tobacco products, and alcoholic beverages, accounting for nearly 49% of the overall tax loss.

Some of the factors responsible for existence and continuity of the grey market are: high profitability, large market size, tax arbitrage, easy access to distribution channels, and ease of concealing operations coupled with inadequate enforcement.



FICCI CASCADE

Committee Against Smuggling and Counterfeiting Activities Destroying the Economy

FICCI has been focusing on curbing the problem of growing illicit trade in counterfeits, pass offs and smuggled goods, and accordingly has dedicated a forum by establishing CASCADE - Committee Against Smuggling and Counterfeiting Activities Destroying the Economy. FICCI CASCADE is working closely with the Industry and Government to create awareness on how counterfeiting and smuggling has become a serious menace to public health and safety, and why all concerned must address these important issues.

FICCI CASCADE has been successful in stirring an active debate on the menace of smuggling and

counterfeiting nationally through various awareness programmes and initiatives engaging industry, policy makers, law enforcement officials, voluntary organizations and consumer at large. Since its inception, FICCI CASCADE has over the years organised various awareness programmes and initiatives across the nation to fight the hazards of counterfeiting and smuggling. It has been successful in stirring an active debate on the topic nationally and internationally. These awareness programs were well attended comprising across sectors, consumer rights activists, youth, government officials, the judiciary, police, customs and border enforcement officials, and have received wide public appreciation and media coverage.



FICCI CASCADE engages with various ministries at the National and State level. CASCADE works closely with the Ministry of Consumer Affairs in their vision to protect the rights and interests of consumers, to spread awareness about consumer rights, duties and responsibilities and to promote consumer welfare by strengthening consumer movement in the country.

An integral part of FICCI CASCADE is to conduct multi-stakeholder dialogues focused on identifying opportunities for joint action between governments, enforcement agencies, international institutions and the private sector

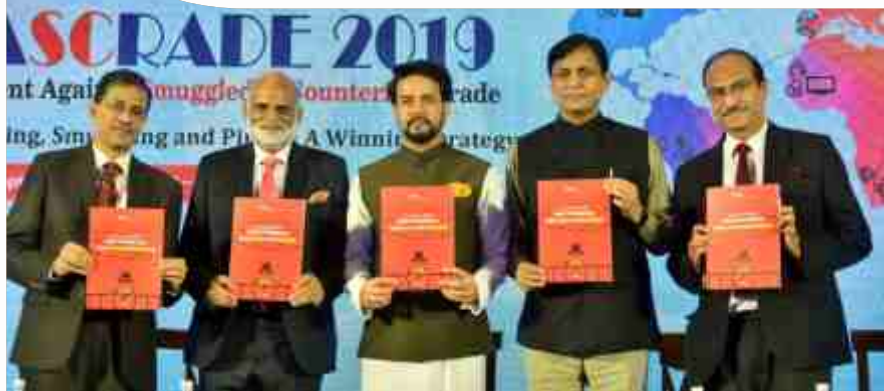
to combat illicit trade. In furtherance of this mandate, CASCADE has organized 7 editions of its flagship international conference. The objective being to bring together and encourage deliberations between the stakeholders on the alarming magnitude of unfair trade practices such as counterfeiting and smuggling to spread awareness about its adverse socio-economic impact. These forums saw overwhelming response in terms of delegate participation, media coverage and witnessed a host of international and national speakers who deliberated on the theme. Post conference reports and suggestions were shared with policy makers at the highest levels.

INTERNATIONAL CONFERENCES

Glimpses Of East



Glimpses of Past International Conferences





AGENDA



AGENDA





Unleashing the Power of Consumers in the fight against Smuggling and Counterfeiting

22-23 September 2022

Programme Outline

22 September 2022	DAY 1
10:00 am - 11:00 am	REGISTRATION
11:00 am - 12:00 noon	INAUGURAL SESSION
	Welcome Address by Mr. Sanjiv Mehta , President, FICCI
	Theme Address by Mr. Anil Rajput , Chairman, FICCI CASCAD E
	Special Address by Mr. Sandeep Kumar , Member (Tax Policy), Central Board of Indirect Taxes and Customs
	Inaugural Address by Shri M. Venkaiah Naidu , Hon'ble Former Vice President of India, Government of India
	Release of TARI study <i>Illicit Markets: A Threat to our National Interests</i>
	Words of Thanks by Mr. Arun Chawla , Director General, FICCI
12:05 pm - 12:45 pm	Highlights of the Study: Illicit Markets: A Threat to our National Interests Presentation by Mr. Kaushik Dutta , Director, Thought Arbitrage Research Institute (TARI)
12:45 pm - 01:45 pm	Lunch
01:45 pm - 03:30 pm	PLENARY SESSION 1 To Empower, Inspire and Connect Consumers for a Safer and Healthier World
	The fundamental purpose to contain the menace of smuggling and counterfeiting lies in safeguarding consumer interests, including social development and global economic growth. Demand comes from consumers, so engaging consumers, influencing public opinion and understanding demand behavior are critical. It is important that both supply side and demand side measures must be addressed to contain this problem.
	The session will talk about:
	» Consumer behavior and socio-economic dynamics that underlie counterfeiting and smuggling
	» Approaches to consumer engagement in anti-smuggling, anti-counterfeiting and brand protection strategies
	» Role Governments, Industry and Consumer Organizations can play from keeping consumers safe from illicit goods
	Session Chair: Mr. Najib Shah , Former Chairman, Central Board of Indirect Taxes and Customs and Think Tank Member, FICCI CASCAD E
	» Mr. Ricardo Treviño Chapa , Deputy Secretary General, World Customs Organization

- » **Mr. Bob Van Den Berghe**, Law Enforcement Officer, Container Control Programme, United Nations Offices on Drugs and Crimes
- » **Mr. Piotr Stryszowski**, Senior Project Manager, Public Governance Directorate, OECD
- » **Mr. Todd Reves**, Director of Building Respect for IP Division, Global Challenges and Partnerships Sector, WIPO

03:30 pm - 05:00 pm **PLENARY SESSION 2**

Reining in the Threat Posed by Online Bad actors to your Business and its Consumers

Administering measures for safeguarding consumers from spurious and fake goods on the internet and on e-commerce platforms with its limitless borders is a daunting task. A regular clean-up of key marketplaces is important. There is a need for strategies to efficiently use data and technological tools to figure out the key players, prevent infringement and nip the problem at the source.

The session will talk about:

- » The extent of trade in counterfeits, spurious and contraband over the internet
- » Discover and Dismantle Bad Actors' Business Model through business strategies and effective collaborations
- » Leveraging blockchain, using big data and automation to detect illicit and manage investigations

Session Chair - **Dr. D P Dash**, Former Pr. Director-General, DRI and Former Chairman, Enforcement Committee, World Customs Organization (WCO) and Think Tank Member, FICCI CASCADE

Speakers:

Dr. Pavan Duggal, Advocate, Supreme Court of India, Expert and Authority on Cyber Law, Cyber Security Law, Artificial Intelligence Law & E-commerce law

Dr. Pravin Singh, Head-Corporate Affairs, Marico Ltd.

Mr. Xavier Urbaneja, Business Development Director, Product & Brand Protection, SICPA SA

Mr. Sumit Kapoor, Global Brand Relations Manager, Amazon Asia Pacific

23 September 2022 Day 2

- 09:30 am- 10:00 am Registration
- 10:00 am - 10:30 am OPENING SESSION

Opening Remarks

Mr. Narendra K Sabharwal, Chairman, FICCI IP Committee & Former Deputy Director General, WIPO and Think Tank Member, FICCI CASCADE

Fireside Chat with Dr Bibek Debroy, Chairman, Economic Advisory Council to the Prime Minister, NITI Aayog

Moderator: **Ms. Mugdha Kalra**, Senior Journalist & Content Specialist, CNBC
Consumers and India's growth trajectory: A manifesto for prosperous nation building

A bill on every purchase is an essential tool to contain the menace of products which are illegally produced and sold. Every time a consumer takes a bill for a purchase he makes, and a seller gives a bill on an item he sells; it ensures that the product is genuine and tax

paid. This tax money is used for the country's development. This will eventually lead to more benefits to the citizens and a healthy and progressive nation. Additionally, the more tax compliant we become, the more corruption free society we will be. A responsible consumer can be a part of India's growth story.

10:30 am - 11:30 am **PLENARY SESSION 3: Panel Discussion**

An Inter-ministerial Dialogue on Prioritizing the Fight Against Counterfeiting and Smuggling - Towards socio-economic development in India's 'Amrit Kaal'

- » Setting up of a Nodal / Multi Agency Center
- » Awareness Generation
- » Infrastructure, Resource and Capacity Building
- » Incentive Programme
- » Deterrent Penal Provisions

Session Chair: **Mr. P K Malhotra**, Former Secretary, Ministry of Law & Justice, Govt. of India and Think Tank Member, FICCI CASCADE

Discussants:

- » **Shri Dharmendra S. Gangwar**, Secretary, Border Management, Ministry of Home Affairs, Govt.
- » **Shri Alok Tewari**, Former Pr. Director-General, Directorate of Revenue Intelligence
- » **Dr. R.J.R Kasibhatla**, ILS, Additional Legal Adviser, Department of Legal Affairs, Ministry of Law and Justice

11:30 am - 01:00 pm **PLENARY SESSION 4: Panel Discussion**

Accelerating Action Against Organized Crime fueling Illicit Trade - Identify, Analyze and Respond

Organized criminal networks are involved in many different types of criminal activities spanning several countries. They are interconnected and global, and they take place on both physical and virtual levels. It has been seen that the deadliest terror organizations rely heavily on the proceeds from illicit trade. More than ever, there is a need for robust cooperation to address the security and safety challenges of citizenries affecting societies

The session will talk about:

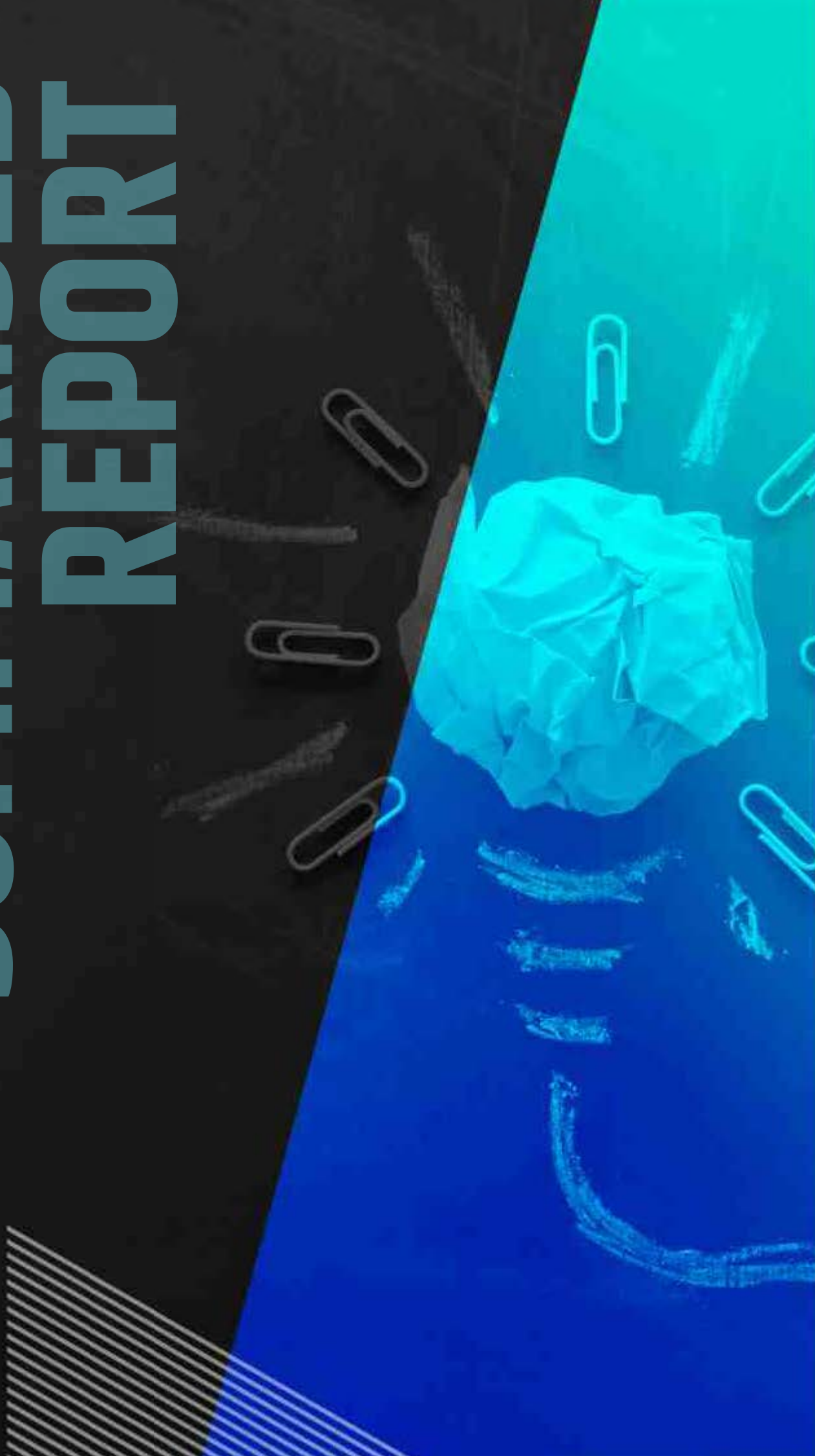
- » Global organized crime and the lethality of illicit trade funded terror organizations
- » Turning intelligence into investigations and the strategic importance of generating, analyzing and sharing information
- » Harmonizing legal, procedural and institutional approaches to tackle organized crime

Opening Remarks by Session Chair: **Mr. Anil Sinha**, Former Director, Central Bureau of Investigation and Think Tank Member, FICCI CASCADE

Session Moderator: **Ms. Mugdha Kalra**, Senior Journalist & Content Specialist, CNBC

	<ul style="list-style-type: none"> » Ms. Joanne Prior, Counsellor (Australian Border Force), Australian High Commission » Mr. Jason Gooding, Assistant Attache, Homeland Security Investigations, US Embassy » Mr. Praveen Sinha, Special Director, CBI and Delegate of Asia in Executive Committee, INTERPOL » Mr. Yusuke INOUE, Technical Attaché within the Compliance Sub-Directorate, World Customs Organization » Mr. Chi-wang Lam, Operations Coordinator, Public Health and Pharmaceutical Crime, INTERPOL » Mr. Ramesh Raj Kishore, Regional Director - Asia Pacific, Pharmaceutical Security Institute, Singapore
01:00 - 02:00 pm	LUNCH
02:00 pm - 03:00 pm	PLENARY SESSION 5: INDUSTRY PRESENTATIONS
	Issues, Trends and Collaborations - Need for Proactive Strategies to stay ahead of illicit players
	<p>Session Chair - Mr. Hem Kumar Pande, Former Secretary, Dept. of Consumer Affairs, GoI and Think Tank Member, FICCI CASCADE</p> <ul style="list-style-type: none"> » Perspectives from FMCG Industry Mr. Devraj Lahiri, Divisional Chief Executive, ITD, ITC Ltd. » Perspectives from Pharmaceutical Industry Mr. Milind Palany, Global Brand Protection Lead - India & South Asia, Johnson & Johnson » Perspectives from Pesticide Industry Mr. R G Agarwal, Chairman- Advisory Committee, Agro Chem Federation of India and Dr. P K Chakrabarty, Former ADG (PP&B), ICAR, and Member ASRB
03:00 pm - 04:30 pm	Valedictory Session
	<p>Opening Remarks by Justice Manmohan Sarin, Former Lokayukta, NCT of Delhi, Chief Justice, High Court of Jammu & Kashmir, Judge, High Court of Delhi and Think Tank Member, FICCI CASCADE</p> <p>Keynote address on Role of Judiciary in Effectively Combating Counterfeiting and Smuggling- The need for Legislative changes /enactments Hon'ble Justice Sanjay Kishan Kaul, Judge of Supreme Court of India</p> <p>Anti-Counterfeiting and Anti-Smuggling Awards & Felicitation Ceremony Enforcement Officers School Children Journalists</p>
	<p>Concluding Remarks by Mr. Sanjeev Tripathi, Former Chief of RAW and Think Tank Member, FICCI CASCADE</p>

SUMMARISED REPORT



SUMMARISED REPORT



SUMMARIZED

SUMMARIZED

REPORT

Counterfeiting and smuggling are highly pervasive across countries and sectors, representing a multi-billion-dollar industry globally that continues to grow and impact commerce and industry, governments, economies, and the society at large. With the Indian economy aiming to reach the target of a \$5 trillion economy and becoming a global powerhouse by 2024-25, such illicit trading activities are having a serious decelerating effect on the country's growth potentials.

Raising awareness is an important aspect of combating illicit trade in terms of smuggling and counterfeiting which needs to be pursued vigorously. Consumers should be adequately informed about the growing threat that substandard counterfeit and smuggled products pose to their health and safety.

FICCI CASCADE in pursuance of its agenda, to bring about a change, has been pursuing campaigns for the consumers at large to raise awareness about the ill effects of smuggling and counterfeiting. As a significant part of this campaign, FICCI CASCADE organised its annual international conference titled: MASCRADE - Movement Against Smuggled and Counterfeit Trade which was attended by over 600 national and international delegates. The eighth edition of this conference was held in New Delhi on 22-23 September 2022, themed on "Unleashing the Power of Consumers in the fight against Smuggling and Counterfeiting". The conference focused on imparting knowledge and creating awareness amongst the consumers about their rights, duties and responsibilities to safeguard their welfare and interest from illicit trade. It further provided a platform to analyze and promote deliberations among the stakeholders on the adverse socio-economic impact of illicit trade.

Shri M. Venkaiah Naidu, Former Vice President of India while inaugurating the conference said that it is imperative for all stakeholders to reform, perform and transform in order to end the menace of counterfeiting and smuggling. "There is a need to strengthen the existing laws. Unless all of us join together, the fight against illicit trade and smuggling cannot be won," he emphasized.





Shri Naidu asserted that sharing of ideas, experiences and views in formulating a more effective legislation with implementation is required to create awareness and industry to play a critical role in this. "Transformation of the system, society, governance, is required for the happiness of the people and to create awareness among the consumers," he added,

Former Vice President of India also stated that it is imperative to protect the rights of the consumers. "Consumer awareness has to be taken as a mission with a passion for the sake of the nation and then the real change will come," stated Mr Naidu.

In the special address, Mr. Sandeep Kumar, Member, Central Board of Indirect Taxes and Customs mentioned that due to technology advancements, the industry today has the opportunity to create tools that can empower consumers to take on smuggling and counterfeiting. This, along with strong enforcement can make a big difference on the ground. He emphasized that the fight against illicit trade has to become a mass movement.

In the welcome address, Mr. Sanjiv Mehta, President, FICCI said that "Strong cooperation between different stakeholders and innovative action is required to free India of illicit trade. Smuggling and counterfeiting is all-pervasive, and industry, government and society directly bear its brunt." He further added that Consumer

Protection Act is a stepping-stone towards empowering the consumers.

Mr. Anil Rajput, Chairman, FICCI CASCADIE apprised that smuggling is the deadliest form of illicit trade. Besides causing severe damage to the exchequer, in the form of loss of revenue, proliferating terrorism by allowing terror groups to get funds, and impacting consumer health and safety, it also leads to large scale unemployment by exporting jobs out of the country, he added.

Emphasizing on the role of consumers Mr. Rajput said that while consumer rights are important as it safeguards their interests, consumer duties are equally significant as it indicates that they have a specific responsibility towards the society and other consumers. He stated that this shared responsibility will most certainly lower the detrimental impact of illicit trade.

Mr. Arun Chawla, Director General, FICCI said that illicit activity, whether it is counterfeiting, smuggling, is a bane for society as a whole. The drive against counterfeiting and illicit trade is gaining momentum and FICCI CASCADIE is fully committed to contributing its bit to this noble cause, he added.

During the conference, FICCI CASCADIE report on 'Illicit Markets: A Threat to Our National Interests' was released. The study examines the size and scale of illicit market in five Indian industries and assesses its impact on individual industries, employment, government tax collection, and the overall economy. According to the study, illicit

market in 5 Key Indian industries, including mobile phones, FMCG-household and personal goods, FMCG-packaged foods, tobacco products, and alcoholic beverages is valued at Rs 2,60,094 crore. The study also finds that illicit trade leads to an estimated legitimate employment loss of 15.96 lakh and tax loss to the government of Rs 58,521 crore.

Addressing the second day of MASCRADE 2022, Dr. Bibek Debroy, Chairman, Economic Advisory Council to the Prime Minister stated that as consumers and citizens, we ask the government to do various things, but it actually is up to us how we tackle counterfeits and smuggled goods. "The broader issue is consumer mindset," he added.

Dr. Debroy mentioned that if the consumer regards a commodity as something where the after-sale service is unimportant, then it tends to be much more price sensitive as they don't care about the quality. However, he averred that as systems become more organised, the importance of the grey market becomes less and less. He also suggested sensitising consumers using vernacular languages.

Mr. Narendra K Sabharwal, Chairman, FICCI IP Committee & Former Deputy Director General, WIPO and Think Tank Member, FICCI CASCADE, alluded to various studies, particularly by OECD, that have underscored the enormous impact of counterfeit and pirated products on international trade and noted the figure could be in excess of US\$ 460 billion per year.

Addressing the Valedictory Session, Hon'ble Justice Sanjay Kishan Kaul, Judge of Supreme Court of India stated that while every citizen must be made aware of legal provisions to deal with counterfeiting and smuggling, they should also in turn understand the importance of buying genuine goods. He asserted that in order to create mass awareness about the ill effects of counterfeiting and smuggling, it is necessary to reach out to all sections of the society.

He emphasized that India would have to adopt innovative and interactive measures to reach out to its consumers. It is imperative for all stakeholders to prepare well to meet the emerging threats and challenges associated with counterfeiting and smuggling in consonance with the changing nature of the illegal activity. This is critical at a time when India is making





strong progress to become a manufacturing hub for the world, supporting innovation in every sector and focusing on people-centric development models, he added.

Justice Kaul further stated that from smuggling, counterfeiting and tax evasion, to the illegal sale, illicit trade is impacting legitimate economic activity. It also deprives governments of revenues for investment in vital public services, dislocating millions of legitimate jobs and causing irreversible damage to ecosystems and human lives.

Justice Manmohan Sarin, Former Lokayukta, NCT of Delhi, Chief Justice, High Court of Jammu & Kashmir, Judge, High Court Delhi and Think Tank Member, FICCI CASCADE cited that there is enough discretion in the existing laws to carry out the judicial powers for attaining the desired objectives.

Anti-Counterfeiting and Anti-Smuggling Awards were given to enforcement officers, school children and journalists during the Valedictory session who have actively supported and

contributed towards the objective of combating the menace of illegal trade.

Mr. Sanjeev Tripathi, Former Chief of RAW and Think Tank Member, FICCI CASCADE also shared his perspective during the valedictory session and proposed vote of thanks to all the eminent dignitaries and delegates who have joined the conference.

During the two-day conference, experts from India and abroad made highly informative presentations and spoke at multiple insightful plenaries, highlighting the significance of empowering consumers to take on the battle against illicit trade by boycotting smuggled and counterfeit goods. The conference saw participation from several senior functionaries from leading international organisations, such as World Customs Organization (WCO), World Intellectual Property Organization (WIPO), INTERPOL, United Nations Office for Drugs and Crime (UNODC), Organization for Economic Corporation and Development (OECD), US Homeland Security, and Australian Border Force, among others.

INAUGURAL SESSION



INAUGURAL SESSION



INAUGURAL SESSION

INAUGURAL SESSION

Over the years, MASCRADE has evolved as an important platform to deliberate and discuss strategies to counter the menace of illicit trade. The event is in its 8th edition, and it is all because of the content, level of participation and the support of all stakeholders. As we understand from the theme of the conference "Unleashing the Power of Consumers in the fight against Smuggling and Counterfeiting", it focuses on one of the building blocks of Indian economy - "The Consumers" and aims to discuss the ways to empower, inspire, and connect consumers for a safer and healthier world.

Counterfeiting and Smuggling are highly pervasive across countries and sectors, representing a multi-billion-dollar industry globally that continues to grow and impact commerce and industry, governments, economies, and the society at large. The costs of these illicit activities are not only real but are huge. With the increase in global trade and technological revolution, there has been a spurt in cybercrimes and economic offences.

India is a victim of a large-scale smuggling and

counterfeiting web, entangling not only our legitimate industry and economy, but also the consumers who are exposed to grave risks to life and security. Sectors like FMCG, packaged goods, mobile phones, currency, tobacco, and alcohol mainly come within its fold. With the Indian



INAUGURAL SESSION

Mr. Sanjiv Mehta

President, FICCI



economy aiming to reach the target of a \$5 trillion economy and becoming a global powerhouse by 2024-25, such illicit trading activities are having a serious decelerating effect on the country's growth potentials, which needs to be curbed substantially. Therefore, continuous efforts are needed to monitor this risk.

In this context, it is important that consumers today understand the multi-faceted complexities of this problem. Consumers can encourage and bring about the required change through their choices and behaviors. Presently, lack of consumer awareness, besides the inadequate legal framework are shaping the dynamics of illicit trade. While the Consumer Protection Act is a stepping-stone towards empowering the consumers, they must be educated to act responsibly while making any purchase to avoid being duped by illegitimate sellers.

FICCI appreciates the government's significant reform measures and several initiatives to fight and curb illicit trading activities. However, the existing arrangements need further strengthening. Implementing effective solutions to the complex problems of counterfeiting and smuggling will require cooperation and innovation, with Government and industry working closely together.

FICCI CASCADE has undertaken a study titled "Illicit Markets: A Threat to our National Interests". The report highlights the scale of illicit markets in 5 key industry sectors - FMCG Household and Personal Goods, Packed Foods, Tobacco products, Mobile Phones & Alcoholic Beverages - which get impacted the most by counterfeiting and smuggling. It quantifies the value and scope of illicit markets, the impact on legitimate manufacturing industries and the entire economy, as well as the employment opportunities lost in these important industry segments. The findings of this study will help us in better understanding of the scale and scope of the issue and accordingly help devise the measures to resolve the growing menace more effectively.

Smuggling and counterfeiting is all-pervasive and industry, government and the society directly bear its brunt. FICCI CASCADE, recognizing the magnitude of this problem, has been consistently working with the Government, enforcement agencies, industry, the media, legal experts, and consumers, focusing on the need to combat this problem. It is time that we, as a nation and as a part of the global economy, called for stern and resolute counterstrike against illicit trade.

Over the years this movement against smuggled and counterfeit trade - MASCRADE, has been instrumental in bringing together the key stakeholders to deliberate on actionable, innovative policy measures to combat smuggling, contraband and counterfeiting, which are collectively referred to as illicit trade. A bellwether since its inception, this platform, has provided the much-needed impetus to move forward with greater vigour, develop strategies, and strengthen the fight against this global menace, which, as per estimates by The United Nations Conference on Trade and Development (UNCTAD), causes over US\$2 trillion annual loss to the global economy.

The ill-effects of smuggling and counterfeiting do not stop at the economic losses. As it is logical for profit-maximizing illegal producers to cut corners on quality and safety standards and posing dangers to their consumers, who frequently are unknowing victims.

Illicit food products and drinks can contain toxic ingredients, as can cosmetics and body care products, while smuggled and counterfeit electrical goods can cause fires or explosions. Illegally manufactured car parts can cause accidents and play havoc with consumer safety. The same holds true for building materials used in the construction have potentially disastrous consequences. Additionally, patients across the world are also put at great health risk on account of fake medicines.

Smuggling is perhaps the deadliest form of Illicit Trade. Besides causing severe damage to the exchequer, in the form of loss of revenue, and proliferating terrorism by allowing terror groups to get funds, thereby giving shape to their sinister agendas, it also leads to large scale unemployment by exporting jobs out of the country.

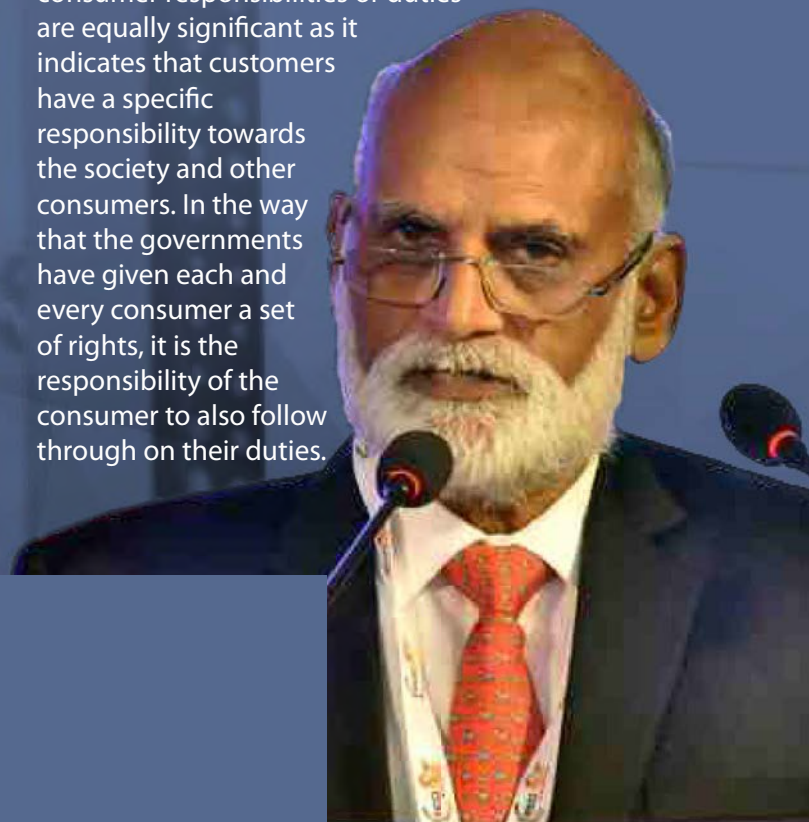
There is no doubt that illicit trade is a persistent and growing threat and is increasingly putting individuals and societies in harm's way. While action is being taken to refine policy frameworks, strengthen cooperation and administer stricter enforcement, it is imperative that the public at large and the consumers, who are impacted the most by such unscrupulous activity, play a key role in disrupting this growing hazard to society. It is in this background that this year's MASCRADE is themed as - Unleashing the Power of Consumers in the Fight against Smuggling and Counterfeiting.

Historically, the world has witnessed some of the greatest and most powerful consumer movements. Be it against the rising prices & drug scandals in the United States of America in 1900's; the movement against defective products in England after WWII or against rampant food shortages, hoarding, black marketing and adulteration of food in India during the 1960s - all of them advocated the rights of consumers, especially when those rights were actively breached by dishonest elements.

While consumer rights are important as it safeguards their interests, I strongly believe that consumer responsibilities or duties are equally significant as it indicates that customers have a specific responsibility towards the society and other consumers. In the way that the governments have given each and every consumer a set of rights, it is the responsibility of the consumer to also follow through on their duties.

INAUGURAL SESSION

Mr. Anil Rajput
Chairman, FICCI CASCADE



Duties such as checking that the product they are buying is quality certified with standards such as Agmark, ISI and Hallmark (used in India); Seeing and understanding all available information about the product and thereby making an informed choice; following the rules while purchasing and not buying goods sold illegally; Insisting on bills of purchase from the seller which will not only act as an effective tool for redressal but will also assure that the product is genuine and tax paid, and lastly being a responsible citizen by reporting any instance of unfair trade practices.

India is the 5th largest economy and the 3rd largest consumer market of the world. Experts suggest that by 2030, it will become the 3rd largest economy globally. As India continues to be one of the world's most dynamic consumption environments, we will have to take shared accountability that illicit trade does not dent this growth trajectory.

In fact, the report on Illicit Markets - A Threat to our National Interests, that will be released in a short while estimates a staggering size of this illegal trade in only 5 industries namely, FMCG-Household and Personal Goods, FMCG-Packaged Foods, Mobile Phones, Tobacco Products, and Alcoholic Beverages for the year 2019-20. This underscores the rampant spread of illicit trade in our country. Apart from a policy framework that disincentivizes such illicit activities along with aggressive enforcement against the criminals of this trade, the role of consumers in thwarting this menace holds great significance and cannot be overstated.

The "Jago Grahak Jago" campaign is a strong platform of the Government of India which raises awareness and safeguards consumer interests across several issues impacting them. A boost to this campaign is the need of the hour, with reference to fake, smuggled and spurious products. This will make Indian consumers strong, both in voice and in power, against the bane of smuggling and counterfeiting activities.

"Awareness without action is worthless," therefore, strong consumer action will be critical in this fight against the illicit players, and perhaps a consumer-led movement to address this issue head on is the need of the hour. Smuggled, counterfeit and banned products cannot exist if

consumers reject them. By demanding the right product and adopting responsible buying behaviour, fraudulent and illegal products would find less and less space in the market.

Moreover, consumers must know that every time an illicit product is purchased, the country is cheated of revenue and the consumer is fooled into believing that what he or she is buying is genuine. Only when genuine goods are produced and consumed, it makes the nation tax complaint, leads to greater revenues for the government and welfare measures for the country and its citizens.

Recently, the hon'ble PM Shri Narendra Modi called on the people to take the 'Panch Pran' (5 resolves) for a developed nation by the time the country celebrates 100 years of its freedom in 2047. The fifth 'Pran' is a reminder of our fundamental duties and highlights our moral obligations towards the country in fulfilling its dreams in the next 25 years.

People's power is the greatest source of power for a country, in the collective strength of our 1.38 billion people. This resource is invaluable and unbeatable. In the times ahead, consumers, who are the backbone of our economy, will move forward with a greater resolve to make steady and meaningful headway in understanding, engaging, and considerably lowering the detrimental impact of illicit trade on the financial, industrial, and societal health of our country.

This will most certainly pave the way towards a better and progressive nation.



The topic we are discussing at MASCRADE 2022 of citizen's involvement is the current most important thing happening for good governance. India is effectively at a very important inflection point, refer to a period of 5-7 years. Digital era in 2005-10 is when everything that we use today was born, starting from the way we entertain ourselves, accessing news, YouTube, Uber, among many other developments. In India from 2015-16 onwards, we have an explosive growth in start-ups, entire new FINTECH industry has set up and the digitalisation in tax administration has unleashed a huge power of analytics in taxation, and the way citizen services have been delivered

INAUGURAL SESSION

Mr. Sandeep Kumar

Member, Central Board of
Indirect Taxes and Customs

though the portals. These changes have increased the involvement of people. Between the government and citizens, the velocity of interaction, closeness of interaction & the speed involved have undergone massive transformation on the back of technology. It has given the power to the citizens and empowered the administration in terms of how we can use data to fight crime or facilitate taxpayers.

Involving citizens in being able to effectively deter counterfeiting and smuggling is the need of the hour. But there is a need of some actors to enable this process. Government can provide an enabling platform and can take inputs. But industry has to provide opportunity to consumers to file a complaint and ensure it reaches the right place, investigated in a balanced way to effectively achieve the desired result. Technology has provided us with huge opportunities like product- tracing, scanning QR codes to check the originality of product, enable us to know things happening in the international

arena. Many organisations have started using Block- chain technology. Industry can build tools to harness the potential of citizens and in terms of user interface it has to be based on digital and convenient systems. Digital tools will help consumers to do things comfortably, it will empower the enforcement agencies and will make a marked improvement in all the risks associated with counterfeiting and smuggling.

As per recent seizures, 480 million sticks of counterfeited cigarettes were caught by CBIC, and many similar seizures have been done in ports and ICDs of counterfeit and smuggled goods. All this hurts business interest and endangers the consumers. This whole fight of curbing the menace of counterfeiting and smuggling cannot be effectively won until the industry partner with the government in terms of running programmes and informing trends and enable citizens to report issues. It will then become a mass movement and we will receive appreciable changes.



MASCRADE 2022 is focused on sharing of ideas & experiences, exchange of views & helping in formulating a more effective legislation with improved implementation, also creating awareness among the consumers with the involvement of industry. Unless all these people join, this fight cannot be won.

INAUGURAL SESSION

Greater education of consumers on critical issues such as smuggling, counterfeit trade and consumer rights is very important. Consumers in general, are not fully aware of their rights in our country, collective effort is required to strengthen consumer networks and increase awareness on issues such as smuggling and counterfeit trade.

The serious issue of illicit trade requires immediate intervention from policy makers and

Shri M. Venkaiah Naidu

Hon'ble Former Vice President of India
Government of India



law-enforcing agencies. A joint effort from the government and industry can create strict deterrence mechanisms against the menace of smuggling and counterfeit trade. Consumer is lured into buying a spurious product and therefore, consumer education on this issue is vital.

All stakeholders must jointly take actions to thwart the diabolical designs of those who seek to cripple India's economy. The nexus between terrorism and illicit trade, needs constant vigilance against the evil designs of hostile neighbours and effective action alone can crush the scourge of terrorism. Former Prime Minister, Shri Atal Behari Vajpayee, said that one can choose one's friends, but not one's neighbours.

Smuggling and counterfeit trade harmed the economy, affected the industry and legitimate businesses, and added to unemployment. Media can be a powerful agent of social change in this respect by creating widespread awareness on the subject. It should highlight the penetration of smuggled and counterfeits in FMCG packaged

goods, manufacturing sectors, currency and alcohol.

There is a need to make our system more robust against smuggling, counterfeiting and other illicit trading activities. In coordination with industry bodies like FICCI, policy makers can frame effective legislation to make Indian markets impenetrable for smuggling and counterfeit trade by putting strong legislative deterrents in place.

Prime Minister Shri Narendra Modi's mantra of 'Reform, Perform and Transform' can be seen driving the country's all-round development. This is reflected in the fact that India is the fifth largest economy in the world today and is on course to growing into the third largest economy globally. As the Government of India has 'zero tolerance' for such malpractices, government efforts should be complemented by efforts of the industry and other stakeholders. A powerful industry body like FICCI can play a key role in policy formulation against smuggling and counterfeiting, and in creating awareness among people who are enticed into buying spurious products.



Illicit activity, whether it is counterfeiting, smuggling or piracy, is a bane for the society. It is an activity which has no winners except undue gains for the law breakers; it's a menace which distorts economics, diminishing legitimate business revenues, fuelling conflict and deteriorate social conditions. FICCI is delighted that in our war against this cancer we have the support of policy makers, enforcement agencies, international agencies, think tanks and above all consumers.

The powerful message of Shri M. Venkaiah Naidu ji, Hon'ble Former Vice President of India against illicit activities like counterfeiting and smuggling inspires us to redouble our efforts towards containing this menace. The valued intervention of Former Vice President of India will be taken forward towards creating a national movement on the subject in our country.

Indian industry feels assured that CBIC is committed to formulating policies at the highest levels for prevention of economic crimes such as smuggling and tax evasion.

Counterfeiting and smuggling is highly pervasive across countries and the cost of these illicit activities are huge and calls for stern actions. Illicit trade, in fact, creates an annual drain on the

INAUGURAL SESSION

Mr. Arun Chawla

Director General
FICCI



world economy to the tune of US\$ 2.2 trillion as per the study conducted Transnational Alliance to Combat Illicit Trade. The drive against counterfeiting and illicit trade is gaining momentum. FICCI CASCADIE is fully committed to contributing its bit in this noble cause. FICCI CASCADIE study on "Illicit Trade: A Threat to our National Interests" stimulate deliberations to understand and address this malicious hazard that the nation is currently facing.

MASCRADE 2022 is a host of notable international and national speakers lined up for

the conference. Senior functionaries from leading international institutions like the World Customs Organization, WIPO, INTERPOL, OECD, United Nations Office on Drugs and Crime, US Homeland Security, and Australian Border Force have taken part in the deliberations. This conference will bring to the fore new ideas, information, statistics and varied perspectives and will benefit all of us in enhancing our awareness on this critical subject and catalyze our efforts in the fight against illicit trading activities.

FICCI's Committee Against Smuggling and Counterfeiting Activities Destroying the Economy (CASCADE) has launched a comprehensive report titled *Illicit Markets: A Threat to Our National Interests*, which examines the impact of illicit trade in five key industries in India - Mobile Phones, FMCG-Household and Personal Goods, FMCG-Packaged Foods, Tobacco Products, and Alcoholic Beverages. The industries are selected based on the size of the industry, its vulnerability, how susceptible industry is to be counterfeiting, smuggling, and other illicit activities and pervasiveness. According to the report, the size of illicit markets in the above-mentioned industries was ₹2,60,094 crore for the year 2019-20, with the FMCG industry - household and personal goods, and packaged

foods - together accounting for 3/4th of the total illicit value of goods in five key industries.

The report further estimates that unlawful trade in these five industries resulting in a total estimated legitimate employment loss of 15.96 lakh. The FMCG industry household and personal goods, and packaged foods, being more labor-intensive industries and due to their relatively higher illicit market size market account for legitimate job losses of 10.93 lakhs, about 68.5 percent of total job loss in five key industries. The estimated tax loss to the government due to illicit goods in these five key industries is ₹58,521 crore. According to the report, two highly regulated and taxed industries, tobacco products and alcoholic beverages account for nearly 49 % of the overall tax loss to the government due to illicit markets in these five key industries.

The impact of the illicit market of these key industries on the economy is pervasive and significant because of the backward linkages of these industries with other sectors of the economy resulting in a multiplier effect. Higher the multiplier, higher is its overall effect on the economy.

While the FMCG packaged foods industry held

HIGHLIGHTS OF THE STUDY:
ILLCIT MARKETS: A THREAT TO
OUR NATIONAL INTERESTS

Mr. Kaushik Dutta

Director, Thought Arbitrage
Research Institute (TARI)

the highest share of illicit market at ₹1,42,284 crore, it was followed by FMCG household and personal goods industry at ₹55,530 crores, alcoholic beverages industry at ₹23,466 crores, tobacco products industry at ₹22,930 crores, and mobile phone industry at ₹15,884 crore. In terms of the percentage of the illicit market, the FMCG household and personal goods industry was at the top at 34.25%, followed by FMCG packaged foods industry at 25.09%, tobacco products industry at 20.04%, alcoholic beverage industry at 19.87%, and mobile phone industry at 7.56%.

Addressing the demand and supply gap of legitimate goods, strengthening the domestic manufacturing sector, increase awareness among consumers, rationalization of tariffs to reduce tax arbitrage, creation of a conducive environment for innovation, and strengthen intellectual property rights (IPR) regime, regular monitoring by police and stringent punishment and law enforcement, better leverage of technology, greater coordination among enforcement agencies and better international coordination and cooperation are some of way forwards to deal with the menace of counterfeiting and smuggling.



PLENNARY SESSION 1



PLENARY SESSION 1



**To Empower, Inspire and
Connect Consumers
for a Safer and
Healthier World**

The 8th edition of MASCRADE - Movement Against Smuggled and Counterfeit Trade conducted under the aegis of FICCI's Committee Against Smuggling and Counterfeiting Activities Destroying the Economy (CASCADE), is themed on "Unleashing the Power of Consumers in the fight against Smuggling and Counterfeiting". The theme focuses on imparting knowledge and creating awareness amongst the consumers about their rights, duties and responsibilities to safeguard their welfare and

Mr. Najib Shah

Former Chairman,
Central Board of Indirect Taxes and
Customs and Think Tank Member,
FICCI CASCADE



NAJIB SHAH



interest from illicit trade network. The consumer should be aware about the fact that illicit trade result in evasion of laws, leading to loss of revenue to the government exchequer and generation of black money which can be used for nefarious activities. Counterfeiting is a serious crime and rapid advances in technology and liberalization of the Indian economy has created an ideal market for people trying to misuse existing brand values that have been cultivated and nurtured over a period. The effects of trade in smuggled and counterfeit goods challenge the well-being of consumers, efficient businesses and

effective governance. We as a consumer have a challenge before us, until and unless, we are aware that every such purchase of counterfeit products poses severe threat to our health and safety. Therefore, consumers should be adequately informed about the growing threat that substandard counterfeit products and smuggled goods pose to their health and safety. There is a need to have in place measures for safeguarding consumers from spurious and fake products which in the absence of any manufacturing standards could pose health and safety issues.





The World Customs Organization (WCO), established in 1952 as the Customs Cooperation Council (CCC) is an independent intergovernmental body whose mission is to enhance the effectiveness and efficiency of Customs administrations. Globalisation has added significant complexities to international trade and global supply chains. In this environment, customs authorities across the world have a unique role in achieving balance between regulation and trade facilitation.

Over the years, WCO has played a pivotal role in protecting the society from illicit trafficking,



Mr. Ricardo Treviño Chapa

Deputy Secretary General,
World Customs Organization





counterfeiting and piracy. The role of customs in combatting counterfeiting is very important not only to prevent unfair competition and guarantee equal market access to its actors but also to protect society and ensure compliance with trade rules. As customs our priority is to maintain resilience for a sustainable supply chain even in the most challenging time. As customs administrations are responsible for protecting national borders from the illegal flow of counterfeit and pirated goods, the WCO leads discussions on global efforts to fight such crimes. WCO operations are simultaneous enforcement activities conducted by multiple customs administrations with a particular focus on specific products. These operations, which lead to seizures of counterfeit goods, also contribute to building customs enforcement capacity.

Throughout the last twenty years, the WCO produced a number of publications based on customs seizures data submitted to the Customs Enforcement Network (CEN) and aimed at providing analysis on trends and patterns in illicit trade. Through the CEN data it was observed that the number of cases reported in the previous year of pandemic are low as compared to those registered in 2021. The growing volume of cross-border consignments through e-commerce and free trade zone is challenging for customs. To manage e-commerce transactions, customs

administrations need to engage with all relevant stakeholders with a view to collectively define the appropriate approach to adopt both from a trade facilitation and enforcement perspective.

The impact of counterfeiting and piracy is becoming more severe on world's economy. By purchasing counterfeit goods, consumers not only endanger themselves and others, but unwittingly support organized criminal syndicates. To protect the society and consumers against this menace, WCO has a clear action plan to provide up to date solutions to the consumers to fight against illicit trade; cooperation between customs authorities and national regulators and the exchange of information needed to detect and stop illicit trade. This exchange of information will help in monitoring the complex risk and threats posed to our global economies.

The WCO's capacity-building activities are vital for achieving this objective. Customs authorities must receive up-to-date information and training on trends and patterns in illicit trade: this information is key for developing enforcement strategies and taking action on the ground. The organised criminal groups use many different sophisticated methods and human and technological resources to generate profit. Therefore, information exchange, analysis of trends and patterns and hands-on instruction are paramount for tackling this challenge.



Mr. Bob Van Den Berghe

Law Enforcement Officer
Container Control Programme
United Nations Offices on Drugs and Crimes

For over two decades, the United Nations Office on Drugs and Crime (UNODC) is working on making the world safer from illicit trade, organized crime, corruption, and terrorism. The office is committed to achieve security and justice for all by tackling these threats and promoting peace and sustainable well-being. Because the scale of these problems is often too great for states to confront alone, UNODC offers practical assistance and encourages transnational approaches to action in all regions of the world through global programmes and a network of field offices. The International trade routes -sea, land, rail and air are exploited by criminal organizations which poses a threat to the security of the international trade supply chain. The mission of the UNODC-WCO Container Control Programme (CCP) is to build capacity in countries seeking to improve risk management, supply chain security, and trade facilitation in seaports, airports and land border crossings in order to prevent the cross-border movement of illicit goods. In the international maritime trade supply chain more than 850 million container movements are registered every year. With up to 90% of world cargo movement occurring in shipping containers.

In 2004 UNODC and the World Customs Organisation (WCO) established the Global Container Control Programme (CCP) to assist governments to establish more effective container controls serving not only to prevent illicit trafficking but also to facilitate legitimate trade and raise state revenues. The primary activities of the programme focus on training officers in the PCUs in the detection, identification and inspection of high-risk containers that could traffic illicit goods based upon risk analysis and other modern profiling techniques. CCP activities strengthen the security of the international cargo supply chain by building and improving national capacities. UNODC is a key player in facilitating enhanced cooperation and trust-building between the private, public sectors and governments and convene dialogues between

multistakeholder groups. UNODC makes continuous efforts to organise capacity building programmes for law enforcement officials to combat illicit trade by providing advance specialized training, theoretical and practical training on topics such as STEC, COPES, etc. During the covid-19 situation, we were able to provide 356 training across the globe to over 73 countries and the global outreach resulted in series of notable successes against such criminal networks in 2021. Addressing all aspects of these illegal practices within UNODC's mandate includes research, awareness-raising, capacity-building and strengthening partnerships and coordination. UNODC seeks to become the policy lead and central hub for the international community response. This comprehensive strategy sets the complementary nature of UNODC's work in preventing and combating the global scourge of illicit trade and defines the priorities for future action and engagement.



The OECD Task Force on Countering Illicit Trade (TF-CIT) works with governments to better understand the full range of complex risks and threats posed to our global economies. The TF-CIT focuses on evidence-based research and advanced analytics to assist policy-makers map and understand the market vulnerabilities exploited and created by illicit trade. Mapping the harms and impacts of illicit trade will help us pin-point large-scale disruptions to illicit markets and identify tools to reinforce the most vulnerable points of entry to the illegal economy.

Mr. Piotr Stryszowski

Senior Project Manager
Public Governance Directorate, OECD

The growing threat posed by transnational organized crime and illicit networks has expanded in size, scope, destabilizing globalized economies and markets alike and created insecurity in communities around the world. The proliferation of these threatening networks and the convergence of their illicit activities threaten not only the interdependent commercial, transportation, and transactional systems that facilitate free trade and the movement of people throughout the global economy, but are jeopardizing governance structures, economic development, security, and supply chain integrity. The important elements of OECD task force is to provide evidence and to scope governance gaps that enable illicit trade to flourish.

The criminals run illicit trade network and undoubtedly, the ultimate victim of unfair trade practices are the consumers because their health and safety are at risk due to the enduring problem of smuggling and counterfeiting. E-commerce is a modern and flexible solution for consumers and businesses. The COVID-19 crisis accelerated an expansion of e-commerce, but also increased the abuse of e-commerce platforms by criminals running illicit trade networks.

According to the estimates, the global trade in counterfeit products (domestically produced consumer good) amounts to 460 billion dollars annually. Fake products are found in a large and growing number of industries, such as common consumer goods (e.g. footwear, cosmetics and toys), business-to-business products (e.g. spare parts or chemicals), IT goods (e.g. phones or batteries) and luxury items (e.g. fashion apparel or deluxe watches). Importantly, many fake goods, particularly pharmaceuticals, food and drink, and medical equipment, can pose serious health and safety risk.

The joint efforts of the Task Force and the US Food and Drug Administration highlighted the need for

extensive collaboration and coordinated efforts, across countries and government entities, to address the threat of illicit products effectively. Within national administrations, responsibility to combat trade in illicit products that pose health and safety risks to consumers usually spans across many agencies. In addition, a global nature of this threat demands for improved international co-operation.

To mitigate this global risk, public and private sector decision makers need a firm grasp on the magnitude and nature of its impacts on economic activities, and a clearer understanding of the conditions that enables it. We must continue to strengthen cross border cooperation to tackle illicit trade and increasingly inter-connected global challenges and help communities to fully seize the benefits of open trade to achieve greater sustainable development and security. Such cooperation should not impede the rules of the global trading system, but rather be consistent with them and work to the advantage of legitimate businesses engaging in international trade.





Mr. Todd Reves

Director of Building Respect for IP Division,
Global Challenges and Partnerships Sector, WIPO



Counterfeiting and smuggling remain major problems worldwide, fuelled by socioeconomic variables such as poverty, ambivalent consumer attitudes towards intellectual property rights, involvement of criminal networks and easy-access to illegal products. Combating counterfeiting and smuggling requires a unique, international public-private sector partnership that is united in its efforts to identify solutions to the growing menace of the illegal trade in counterfeit and smuggled products and facilitate their implementation.

Despite solid legal and institutional frameworks, more needs to be done to achieve better compliance with the existing systems, to ensure that these systems fulfill their role as a force for innovation and creativity. Building respect for intellectual property will underpin efforts in this regard. International dialogue and cooperation amongst the stakeholders will provide a forum to discuss the role of illicit trade in inhibiting positive development outcomes and in particular, the implications for the achievement of the sustainable development goals.

PLENNARY SESSION 2

3 4 5 6
1 2 3 4 5 6
7 8 9 10 11 12

PLENARY SESSION 2



**Reining in the Threat
Posed by Online Bad
actors to your Business
and its Consumers**



Dr. D P Dash

Former Pr. Director-General, DRI and Former Chairman, Enforcement Committee, World Customs Organization (WCO) and Think Tank Member, FICCI CASCADE

Digital and social platform have become an integral part of our society and the internet has been one of the most transformative and fast-growing technologies. Internet transform the way we live, work, play and connect with each other. Internet has developed economic revolution in this world and has now been called ablest economy. The COVID-19 pandemic has accelerated the shift towards a more digital world. The survey entitled that consumers in emerging economies have made the greatest shift to online shopping, in July 2020 e-commerce sales were 55% higher than July 2019. Research in online browsing and other online activities are providing bad actors an increase opportunity to exploit consumers and damage brand. FBI have recorded that number of people staying in their homes are relying even more on the internet for daily activities including work, education, and leisure. Cybercriminals seeking to exploit emerging opportunities and vulnerabilities have also multiplied by 4 times. Illicit trade in fake products by bad online actors is a major challenge in an innovation-driven global economy.

"Counterfeiting" is used in its broadest sense and encompasses any manufacturing of a product which so closely imitates the appearance of another product to mislead a consumer. Smuggling can involve both counterfeit and genuine products. Counterfeits especially in pharmaceuticals have far-reaching public health implications and the products may include correct ingredients in incorrect quantities or composed according to a wrong formula, may include non-active substances all together or some toxic substances, or correct content but in fake packaging.

Mainly affected by the problem of illicit trade are the developing countries with weak regulatory control and enforcement, the problem is further

exacerbated by a number of other factors such as scarcity or erratic supply of basic medicines, uncontrolled distribution chains, large price differentials between genuine and counterfeit goods, lack of regard for quality assurance and corruption in the system.

In the context of smuggling, DRI has been a pivotal organisation for bringing about international cooperation and bilateral collaboration to neutralise trans-national organised crime. DRI made several seizures of foreign brand cigarettes that were manufactured in one state of India and were exported outside india. There are countries dealing with internal problems and are dealing specially against these crimes as local event.

There is a need of collaboration between law enforcement agencies, industries and government. Mutual coordination and collaboration are imperative, exchange of information among countries will help curb the menace of illicit trade. We should have global laws because illicit trade is a crime which does not affect one nation. Empowering the consumers about their rights, duties and responsibilities in the fight against illicit trade is the need of hour.

As online shopping continues to grow, reviews will play a greater role in helping consumers doing proper research about the products and make appropriate purchase decisions. Consumers should be adequately informed about the growing threat that substandard counterfeit and smuggled products poses to their health and safety. Imparting knowledge to the consumer on the importance of promoting genuine goods in the country can go a long way to tackle this menace. Therefore, significant policies reforms and strategies should be enhanced to fight against the growing hazards of counterfeiting and smuggling with the goal of keeping consumer safe.

With enhanced use of cyber space and increase in the pace of digitalization, number of cybercrimes are increasing. Recently, RBI tightened digital lending norms to curb scams to protect borrowers, as well as technology and data requirements to be followed by digital lenders. The Central Consumer Protection Authority (CCPA) has issued 24 notices for unfair trade practices against e-commerce operators to protect consumer interests. The Delhi High Court passed an order in the CCPA case, directing platform provider to deposit the sum of Rs 1 lakh as the penalty amount before the Registrar General of the Court. It is evident that consumer protection is in the mind of the government and several guidelines have been issued by government to e-commerce entities over regulating sales on e-commerce platforms. There is a massive spurt in the counterfeits, spurious items and contrabands over the internet. Lack of awareness amongst

users further fuels the growth of counterfeits, spurious items and contrabands.

There is a lack of effective legal frameworks in India to protect consumers at large. It is pertinent to mention here that there is no dedicated law in India on protection of online consumer against spurious products and contrabands. The Consumer Protection Act, 1986 was enacted to provide a simpler and quicker access to redressal of consumer grievances but now the Consumer Protection Act, 2019 for the first time introduced the concept of 'consumer' and conferred express additional rights on him. The protection is meant for the person who fits in the definition of 'consumer' given by the Act. Thus, a consumer

Dr. Pavan Duggal

Advocate, Supreme Court of India, Expert and Authority on Cyber Law, Cyber Security Law, Artificial Intelligence Law & E-commerce law

will now mean any person who "buys any goods" and "hires any services" which shall include both online and offline transactions through electronic means, teleshopping, direct selling or multi-level marketing.

The concept of "product liability" has been newly introduced and is defined as the responsibility of a product manufacturer or product seller of any product or service to compensate for any harm caused to a consumer due to defective product manufactured, sold or deficiency in services relating thereto. Further, an electronic service provider is now included under the definition of a product seller. These online marketplaces and auction sites can now be held in product liability action under the circumstances as stated in Section 86 of the Act.

Information Technology Act, 2000 is India's mother legislation regulating the use of computers, computer systems and computer networks as also data and information in the electronic format. This legislation has touched varied aspects pertaining to electronic authentication, digital (electronic) signatures, cybercrimes and liability of network service providers. The Information Technology Act, 2000 is completely silent on protecting consumers in cyberspace. Even the rules and regulations made under the Information Technology Act, 2000 do not specifically deal with the counterfeits, spurious items and contrabands over the internet. An intermediary is expected to exercise due diligence specifically mandated under the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021.

Currently, India does not have any dedicated law on privacy, data protection as also on cyber security. Hence, need for the Government to come up with specific new directions under Section 87 of the Information Technology Act, 2000 to deal specifically with counterfeits, spurious items and contrabands over the internet. The grievance mechanism under the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 does not work in the context of counterfeits, spurious items and contrabands over the internet, because most of the online platforms selling these

counterfeits, spurious items and contrabands themselves are fly-by-night operators and they are not complying with the Indian Cyberlaw.

Internet jurisdiction continues to be a big challenge in this regard of growing counterfeits, spurious items and contrabands over the internet. Further, attribution of counterfeiting activities or infringing activities to any specific actor itself becomes challenging and given the great efforts undertaken to remove the connection of the concerned cyber actor to the said counterfeit and pirated content activities. This calls for a need for more holistic approach on protecting consumers against counterfeits, spurious items and contrabands over the internet.

FICCI CASCADE can play an extremely important role in creating more awareness. India needs to have a relook on intermediary liability issues to make intermediaries more accountable and responsible to fight the menace of counterfeiting and smuggling related activities on their platforms. People must be encouraged to stop buying counterfeits, spurious items and contrabands over the internet. There is a need for enhancing and increasing the capacity building amongst the relevant stakeholders in the digital and mobile ecosystem.

Way Forward:-

- » Need for new mindset and changes in existing law
- » Need for India to revisit its legal position on intermediaries' liability
- » Need for far more focus on consumer protection
- » Need for expeditious remedies to be made available to end consumers
- » Consumer forums to be made more expeditious and powerful
- » Criminal liability for intermediaries for selling goods and services online to be consolidated.
- » Need for effective legal frameworks and their efficient implementation to ensure consumer protection.

Marico is one of the India's leading consumer products companies in the global beauty and wellness space. During FY 2021-22, Marico recorded a turnover of about INR 95 billion (USD 1.3 billion) through its products sold in India and chosen markets in Asia and Africa.

The existence of illicit markets is a matter of serious concern for any economy. As per the FICCI CASCADe Report, the total loss to the government estimated for 2013-14, on account of the illicit markets in seven key industries namely Tobacco, Alcoholic Beverages, Mobile Phones, Auto Components, Computer Hardware, FMCG -Personal goods and FMCG-Packaged Foods is Rs. 39,239 crores. It is estimated that online search often leads customers to buy counterfeit product over internet, up to 60% of search results bring customers to websites that sell fake. Counterfeit products cost the global economy over \$500 billion a year. Counterfeiters lure customers with convincing advertisements and low prices, but shoddy, or potentially harmful products. India was the eighth largest market for e-commerce with a revenue of US\$63 billion in 2021. The COVID-19 pandemic has led to a surge in e-commerce and accelerated digital transformation and the share of sales through online platforms has



Dr. Pravin Singh

Head-Corporate Affairs
Marico Ltd.

grown, even in rural circles. Marico ensures the following process to be followed against the illegal market operators:

Detection

- » Scan digital platforms
- » Identify suspected listings and sellers
- » Identify platforms with more infringements and prioritise

Validation

- » Assessment of authenticity of the identified product on set parameters
- » Order suspected listings for quality checks

Online Action

- » Notice of delisting: assessment reporting of the identified infringe product to the respective platform for the take down.

Identifiers

- » Discounts- (Challenges- mixed bag): Price cards
- » Labels
- » Consumer complaints
- » Data on counterfeiters

Address verification

Verify address from invoice

A. Seller name B. Address

C. Pin code D. GST portal

E. Local delivery boy of the respective platform

Legal Enforcement

- » Civil
- » Criminal
- » Cease & Desist

Solutions to ponder/ Take-aways:

- » To adopt Anti-counterfeiting technology to protect your brand and customers.
- » Analytics to plug-in leakage in supply-chain, unused materials due to packaging/labelling change, expired or damaged products.

- » Block chain for authenticity verification by dealers, retailers and end consumers; to track and trace- raw materials, dry goods, end-product, to look after customer engagement and product recall, etc.
- » Concerted efforts are required by Industry, platforms and regulators to eliminate the menace of illicit trade.

Some best practices to be followed:

I. Validation of seller as an individual entity

- » Supplier's financial/credit history
- » Assess supplier's compliance with regulations and governance
- » Supplier's service track record and history of firm
- » Market reputation
- » Verified documentation such as GST, PAN card
- » Supplier to sign ethical code of conduct

II. Validation of seller as part of authenticated supply chain

- » Self-validation and certification
- » Validation by other elements in supply chain
- » Validation by brand owner/manufacture

III. Validation of seller's capacity to service

- » Capacity to fulfil marketplace conditions such as maintaining sufficient inventory
- » Delivery process
- » Meeting further requirement such as after sales service etc.

IV. Checking for "red flags"

- » Certain locations such as Surat, Gwalior etc. are known counterfeits hubs. Sellers from such locations should be verified more rigorously
- » Focus on top products that are prone to counterfeit such as cosmetics, apparel, electronics etc.
- » Sellers with products that may pose health and safety risks.

Market leader in security inks and leading provider of secured authentication, identification, traceability and supply chain solutions, SICPA is a long-trusted partner to governments, central banks, high security printers and the industry. Every day, governments, companies and millions of citizens rely on its expertise, which combines material-based covert features and digital technologies, to protect the integrity and value of their currency, personal identity, value documents, e-government services, as well as products and brands.

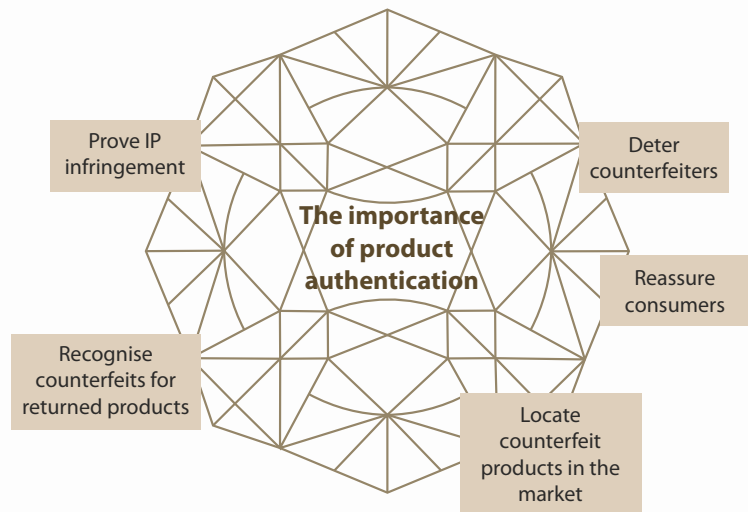
Consumer behavior is always changing and evolving, however the changes seen recently have altered the business world significantly. There has been an acceleration in the shift to online shopping, an increased need for omni-channel and major changes in consumer shopping habits all brought on by the pandemic. Today as a consumer we want anything, anytime and anywhere!

SICPA's range of proven and patented invisible authentication solutions are designed to safeguard brands and products from the risks and liabilities of the counterfeit industry which includes:

Mr. Xavier Urbaneja

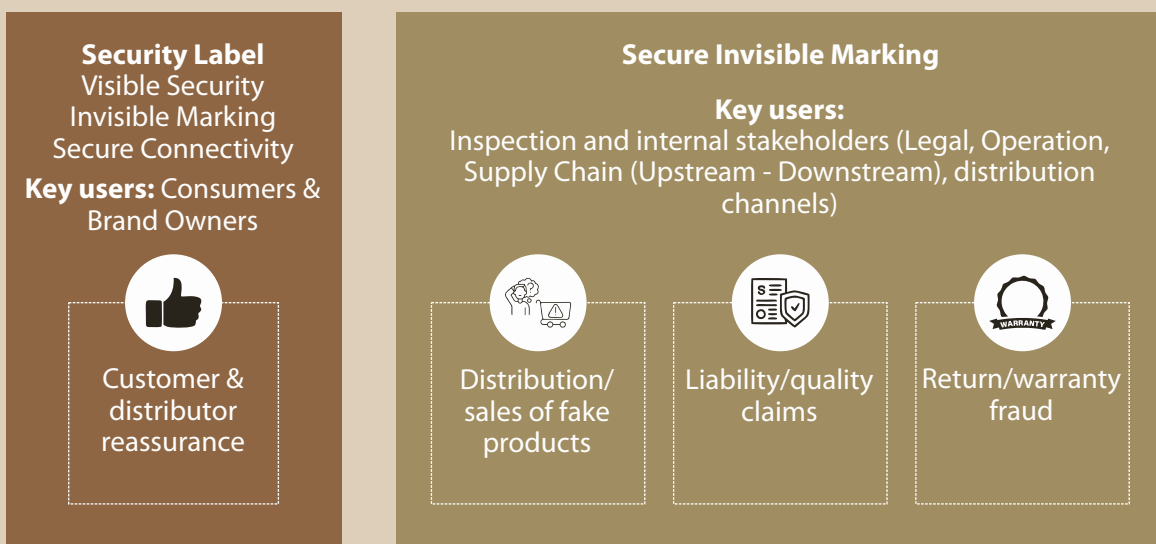
Business Development Director,
Product & Brand Protection, SICPA SA

- » Integrate anti-counterfeiting and security features into product designs
- » Analyze potential counterfeiting risk
- » Collaborate with law enforcement authorities on counterfeiting issues
- » Establish communications channels with all stakeholders
- » Monitor supply chain activities
- » Aggressively pursue violations of IP infringement



Brand strategy and approach to Illicit Trade Issues

Brand strategy and approach to Illicit Trade Issues



Companies work with SICPA when customer trust is decreasing due to the presence of illicit products on the market (counterfeit).

What makes QUAZAR an effective visible feature?

1. Proprietary technology (IP protection)
2. Uniqueness of the technology
3. Secure supply chain + secure implementation + secure operations + security design
4. Works as a Trust Anchor for your customers

Companies work with SICPA when product authentication cannot be made with quality (e.g., misspelling, rough edges, bad print quality)

What makes SICPAGUARD an effective invisible feature?

1. Unique, patented and proprietary technology
2. A multi-component solution
3. +20 billion products of major brands & governments per year are protected with this solution

SICPA's comprehensive, measurable and cost-effective inspections can play a vital role in product recall situations, preventing rogue warranty claims, defending the integrity of products and identifying weaknesses in the supply chain, and ultimately protecting brand value and ensuring trust.



Mr. Sumit Kapoor

Mr. Sumit Kapoor

Global Brand Relations Manager
Amazon Asia Pacific

8th edition **MASCRADE 2022**
MOVEMENT AGAINST SMUGGLED & COUNTERFEIT TRADE

Unleashing the Power of Consumers in the fight against Smuggling and Counterfeiting

22-23 September 2022 | Shangri-La Eros, New Delhi

PLENARY SESSION 2

Reining in the Threat posed by Online Bad actors
to your Business and its Consumers

Amazon seeks to build the most customer-centric online destination for customers to find and discover virtually anything they want to buy online by giving them more of what they want - vast selection, low prices, fast and reliable delivery, and a trusted and convenient experience; and provide sellers with a world-class e-commerce marketplace. Amazon is guided by four principles: customer obsession rather than competitor focus, passion for invention, commitment to operational excellence, and long-term thinking.

Customers expect that when they purchase an item in our store, sold either by Amazon or by one of our selling partners, they will receive exactly what they ordered. Therefore, we are so focused on creating a trusted shopping experience and keeping brands and customers safe from fraud and abuse.

The four pillar of brand protection followed by Amazon for worldwide progress in combatting counterfeit products and protecting customers: -

- » Robust proactive controls
 - o Powerful tools to protect brands
 - o Accountability for bad actors
 - o Customer education and support

However, this is an escalating battle with criminals that continue to look for ways to sell counterfeits, and the only way to permanently stop these counterfeiters is to hold them accountable through the court system and criminal prosecution. All prospective selling

partners are required to have a one-on-one conversation with one of our team members and provide information such as, a government-issued photo ID, financial and taxpayer information and location. When entrepreneurs use law firms to file a trademark application, Amazon also provides their brand with early access to brand registry and its powerful brand protection tools. Amazon empowers brands to partner through tools like brand registry, transparency, and project zero. Project Zero has given the power to take down infringing products, within minutes of reporting the bad actors, a notice of successful takedown is received. Amazon ensures a simple, yet powerful process: -

- » Select products to enroll
- » Apply Transparency codes
- » Transparency codes are scanned
- » Customers scan to authenticate units
- » Reveals data, videos, or promotions

Amazon counterfeit crimes unit works with brands, law enforcement, and customers across the globe to stop bad actors and hold them accountable. In 2021, in partnership with brands, 170 civil lawsuits were filed against counterfeiters in U.S. courts. Amazon will continue to invest and innovate to protect customers, brands, and the selling partners, and increase collaboration with brands and law enforcement to hold counterfeiters accountable.

OPENING SESSION DAY 2



OPENING SESSION DAY 2



Opening Remarks

OPENING SESSION DAY 2

OPENING SESSION

Day 2- 23 September 2022

The infiltration of smuggled, pirated, and counterfeit products creates an enormous drain on trade, industry and economy impacting the society as a whole. The nexus between organised crime, cybercrime, terrorism, and illicit trade in terms of counterfeiting and smuggling is real and should not be underestimated. Counterfeiting and Smuggling are the biggest challenge and their recent scale have exceeded all the boundaries. From initially targeting the luxury and apparel products, the counterfeiters have now extended their reach to basic household products and other utilities such as food, beverages, pharmaceutical products, medical equipment, electrical appliance, electronics, toys and car parts with a direct adverse impact on health and safety of the consumer.

Various studies, particularly by OECD, have underscored the enormous impact of counterfeit and pirated products on international trade and the figure could be more than US\$ 460 billion per year. It has been noticed that not much has been

done to address the challenge posed by illicit trade. FICCI CASCADE has done a pioneering and path breaking research for five key industries in India - Mobile Phones, FMCG-Household and Personal Goods, FMCG-Packaged Foods, Tobacco Products, and Alcoholic Beverages. The report highlights the size of illicit market in the above-mentioned industries was ₹2,60,094 crore for the year 2019-20, with FMCG industry - household and personal goods, and packaged foods - together accounting for 3/4th of the total illicit

OPENING REMARKS

Mr. Narendra K Sabharwal

Chairman, FICCI IP Committee & Former
Deputy Director General, WIPO and Think Tank
Member, FICCI CASCADE



value of goods in five key industries. Some other studies reveal that counterfeiting and piracy has led to a loss of billions of dollars in entertainment and music industry as well.

The e-commerce has transformed the way business is done in India. The Indian e-commerce market is expected to grow to US\$ 200 billion by 2026. However, e-commerce sites are regularly used as common platform for sale of counterfeit products. Some experts have revealed that one out of five product that is sold on e-commerce platform is fake. Some effective measures to be taken for tackling online infringement are: -

- » Regular monitoring of marketplaces.
- » Showcasing counterfeit products through automation system and technology.
- » Preventing the entry of counterfeit products in domestic marketplace.
- » Keeping a watch on the product and the promotional efforts adopted by counterfeiters to run their illicit trade practices.

The growth of electronic commerce has created a need for robust and effective regulatory mechanisms. Further, there is a need for separate e-commerce law to protect consumer's right and foster effective business practice in online marketplaces. It is suggested that coordination among all stakeholders including judiciary, law enforcement agencies, private sector and consumer is required to deal with the menace of illicit trade.

The National IPR policy of 2016 prescribe the road map to strengthen and streamline the enforcement and adjudication system in India particularly emphasizing the best adopting practices, wider use of technology, better training and coordination among enforcement agencies. FICCI has constantly endeavoured to build awareness and respect for IP among all relevant stakeholders, including the enforcement agencies. FICCI continuously engages with various government departments to highlight industry issues on policy and regulatory matters related to counterfeiting, smuggling and IP infringement.

OPENING REMARKS

Dr Bibek Debroy

Chairman, Economic Advisory Council to the
Prime Minister, NITI Aayog

Smuggling at the borders have close link with terrorism, money laundering, drugs, and human trafficking. Today, smuggling and revenue losses are the massive issue prevailing in the country. Smuggling is encouraged when the import of product is banned or there are high tariff rates/duties imposed on the products.

The broader issue is 'Consumer Mindset', as consumers are open to discovering new brands with the change in their needs and preferences. Therefore, the need for change in the mindset of consumers increases. Consumer should begin to say that i will not buy fake, spurious or smuggled product.

The consumers are cost sensitive and concentrate basically to buy products at cheap rates. Most of

them believe that low prices mean good value for a product. If the consumer regards a commodity as something where the after-sale service is unimportant, then it tends to be much more price sensitive as they don't care about the quality.

It is when the system becomes more organized the importance of grey market will become lesser. It is important to do an analysis over time to see the declining trend or any change in the composition of the product. As consumers and citizens, we ask the government to do various things, but it is actually up to us, how we tackle the problem of counterfeits and smuggled goods. It is suggested that FICCI CASCADE taking forward its objective of combatting the menace of illicit trade should help sensitise consumers using vernacular languages.



PLENNARY SESSION 3

et=utf-8

>
.1/loc">

lln> 1010101

10101010

10101010

PLENARY SESSION 3



**An Inter-ministerial
Dialogue on Prioritizing
the Fight Against
Counterfeiting and
Smuggling – Towards
socio-economic
development in
India's 'Amrit Kaal'**

Illicit trade in terms of counterfeiting and smuggling is considered as one of the fastest growing illegal activities. It impacts foreign investment, employment, innovation and most importantly the health and safety of consumers. India is a larger market for such activities. Covid-19 outbreak has provided counterfeiters an opportunity to capitalise on consumer vulnerability. Billions of dollars from these activities flow through the global economy each year, distorting local economies and diminishing legitimate business revenues.

Consumer sensitization is important to generate awareness so that the buyer can take the right decision and make the right choice before buying any product. There are several incentive programmes launched by the government and other nodal agencies to curtail the problem of illicit trade. Enhancing effectiveness of penalties and punishments for countering illicit trade will play a vital role in lowering the incidence of such evil practices. Number of legislations which are looking after this problem and effective solutions to counter illicit trade deal with the particular acts of :-

Mr. P K Malhotra

Former Secretary, Ministry of Law & Justice, Govt. of India and Think Tank Member, FICCI CASCADE

- » The Trademark Act
- » The Copyright Act
- » The Patent Act
- » The Drugs and Cosmetics Act
- » The Geographical Indications of Goods Act
- » The Customs Act
- » The Consumer Protection Act
- » The Prevention of Food Adulteration Act
- » The Indian Penal Code and Information Technology Act
- » The Design Act

FICCI CASCADE has adopted 4-pronged approach to create awareness on how counterfeiting and smuggling has become a serious menace to public health and safety, and why all concerned must address these important issues. It focuses on:

- » Generating Awareness
- » Capacity Building of Law Enforcement Authorities
- » Interaction with Law Enforcement Authorities
- » Research and Proposing Law Reforms



The problem of counterfeiting and smuggling is complex in nature. It is important that youth of our nation understand the multi-faceted intricacies of this problem. Youth are the consumers of tomorrow, who can encourage and bring about the required change through their choices and behaviours for the growth and development of our country. The young generation should be made aware about the hazardous impact of smuggling and counterfeiting on personal life, health and safety and their active engagement is essential to counter illicit trade. Therefore, rigorous actions need to be taken by the government to assess the risk of illicit trade in various guises to target, deter, and eventually interdict the activities of criminal networks.



In today's globalized world, smuggling is a big threat to the national security. The primary cause of concern is a deadly cocktail of organized crime, terror financing, financial crime, and money laundering across the border. Smuggling is a high risk and high return activity, and these illegal trade practices are organized by transnational crime syndicates who operates at global level. This problem can only be tackled with a concerted all out and all-round war against each of the components of this ecosystem. Department of Border Management and Ministry of Home Affairs have devised an integrated border management system to control this menace.



Shri Dharmendra S. Gangwar

Secretary, Border Management
Ministry of Home Affairs
Government of India



Over the last 75 years, the national borders were developed as a barrier for the transnational actors. So far, the Border Management Authority have covered 5000 km of land with electronic fencing system and floodlight. Consequently because of this there has been a remarkable decrease in smuggling incidents across these borders in the last 10 years.

The second important area where the authorities are working is deployment of border guarding force for manning 15,000 km of land borders. MHA has deployed 267 battalions of border guarding force, which is also the lead intelligence agency for collaborating different sources on intelligence and designing operation for all anti-criminal, anti-smuggling and anti-poaching activities across the border. The level of security is such that these 267 battalions are deployed around 3000 border outposts.

An important facet of the border situation is while we need border as barriers for illegitimate trade, we also need to create bridges to facilitate legitimate trade and commerce. For this purpose, MHA has set up a Land Port Authority of India which is currently implementing the upgradation of erstwhile land customs station into integrated check posts called land ports. As an outcome, over the last 10 years the percentage of trade flowing through these stations have increased from 42 to 64 %.

Smuggling is a transnational criminal syndicate activity. As we move ahead, these syndicates also change their strategy and tactics. When the border security along Pakistan got strengthened then smuggling started happening through the Gujarat Maritime Border. The moment we physically control these borders, these transnational syndicates use innovative methods

to bypass these borders and use different routes of smuggling. In such a dynamic situation our border guarding and other law enforcement agencies, need to be continuously updated with this modus operandi of different criminal syndicates. Multi agency dialogues will be of immense help in this regard.

Trade and industrial association like FICCI can also bolster our national fight against smuggling and counterfeiting through these suggestions. Awareness about incentive scheme for informants can be created in border area through industry associations' trade channels.

Further, we need to stop the production of smuggling prone products. For instance, certain drugs were prohibited by the narcotics control bureau however their production was reinstated through a stay of court. These drugs are widely traded over India-Bangladesh border. Trade association can persuade stoppage of production of such products. While the BAPD program is introducing economic infrastructure we also require economic structure. Trade partners can introduce skill development and vocational training programs for youth in border areas. These youth are currently used by these syndicates for peddling and handling transportation of drugs.

Apart from that, trade associations along with their trade partners can also design a track and trace application which is downloadable by the consumer which indicates genuineness of particularly high-risk products like pharmaceuticals. Through effective coordination between different agencies, centre and state government, stakeholders, capacity building, real time sharing of information, better awareness and international cooperation will be able to tackle this menace over the next 25 years of Amrit Kaal.

In 2021, India's international trade was in the range of USD 675 billion, the ports across India handled more than 1.3 billion metric tons of cargo. The country is now aspiring to take international trade to USD 2 trillion by 2030 and if these figures are extrapolated it points towards 4 billion metric tonnes of cargo to be shipped globally. DRI seizures, in 2021, were in the range of 100 metric tonnes which do not include some seizures which are denominated in terms of numbers of boxes instead of weight. The scale and complexity of the issue is immense.



Shri Alok Tewari

Former Pr. Director-General
Directorate of Revenue Intelligence



A question that is reiterated multiple times is why the level of examination and scanning of containers is not increased by the customs authorities. However, it must be kept in mind that this step involves a trade-off between enforcement and trade facilitation. It is suggested that we should increase investment in data analytics and risk management which the Department of Revenue & Customs is already invested in since a long time. There is a separate directorate called the Director General of Analytics and Risk Management which has done a commendable job in terms of building risk profiles and weighing various risk parameters for interdiction of contraband. Similarly, DRI, in the past one year, has had humongous success in terms of interdiction of narcotic drugs. Investing in IT infrastructures to analyse risk parameters is a more efficient way to counteract this problem.

The department of youth affairs is actively involved in multiple awareness building initiatives on smuggling and counterfeiting in cooperation with agencies like FICCI. This effort, however, can be supplemented to create greater

and more effective awareness with the huge level of audio-video clips with the Customs and DRI which demonstrate methods of smuggling and counterfeiting in a very engaging and interesting manner.

Apart from inter-agency and inter-ministerial cooperation, there is also a need for greater collaboration with Civil Society and NGOs. Similarly, greater collaboration with the private sector and the industry can also aid the efforts. Additionally, within the private sector there is a scope for introducing self-regulatory measures with respect to international supply chain. Alongside, a specialised vertical to look at integrity, ethics and reputation would set standards for those who are linked with the international supply chain.

One agency alone, cannot address this menace holistically. Utilisation of entire resources, including not just the government machinery but also various actors of the supply chain and civil society is required. The need of the hour is a greater synergy of efforts between the various stakeholders to tackle this serious issue.

The theme of MASCRADE titled "Unleashing the Power of Consumers in the fight against Smuggling and Counterfeiting" is significant considering the importance given to protect consumer interest, health and safety from illicit trade operators. Counterfeiting and smuggling has far-reaching economic effects including the loss of tax revenue to government, undermining public health and safety.

Dr. R.J.R Kasibhatla

Additional Legal Adviser, Department
of Legal Affairs, Ministry of Law and Justice

The framework to control or combat this menace can be discussed and deliberated under two heads - the international arena and the domestic arena. The United Nations Conference on Trade and Development (UNCTAD) is involved in the protection of consumer rights and help developing countries confront the challenges of illicit trade through enhancing international collaboration across the trade and development network. UNCTAD has proposed multiple measures to counter this menace which includes international collaboration, domestic legislation, and coordination and cooperation among the state enforcement agencies.

In the domestic arena, there are several enactments to safeguard the interests of the consumers and combat the menace of smuggling and counterfeiting. For instance - the Trademarks Act, the Copyright Act, the Patents Act, the Geographical Indication Act, the Prevention of Food Adulteration Act, the Drugs and Cosmetics Act, and the recently passed Consumer Protection Act 2019, etc. However, mere enactment of legislation may not address these concerns effectively. There is a need for a mass movement to counteract these problems. Apart from affecting the economy, counterfeiting and smuggling also impacts the environment, health, safety, life and liberty of the public at large. It is a serious concern and if mere enactments would have sufficed the purpose, India would have long overcome these issues.

Several initiatives have been taken to counter this issue like counterfeit currency notes have been made an offence, FICN Coordination Group has been setup by the Ministry of Home Affairs to share intelligence information among different

security agencies, etc. India has signed several cooperations in criminal matters across the borders with various jurisdictions to effectively render cross border cooperation in implementation of issues relating to counterfeiting and smuggling. Reserve Bank of India has also introduced augmented security features for detecting counterfeit notes. Intellectual Property Rights are also in place to safeguard the rights of creators.

Therefore, it is suggested that creating awareness among consumers and enforcement agencies on the importance of effectively tackling counterfeiting and smuggling is required. Implementing effective solutions to the complex problems of counterfeiting and smuggling will require cooperation and innovation from the government and industry working closely together.

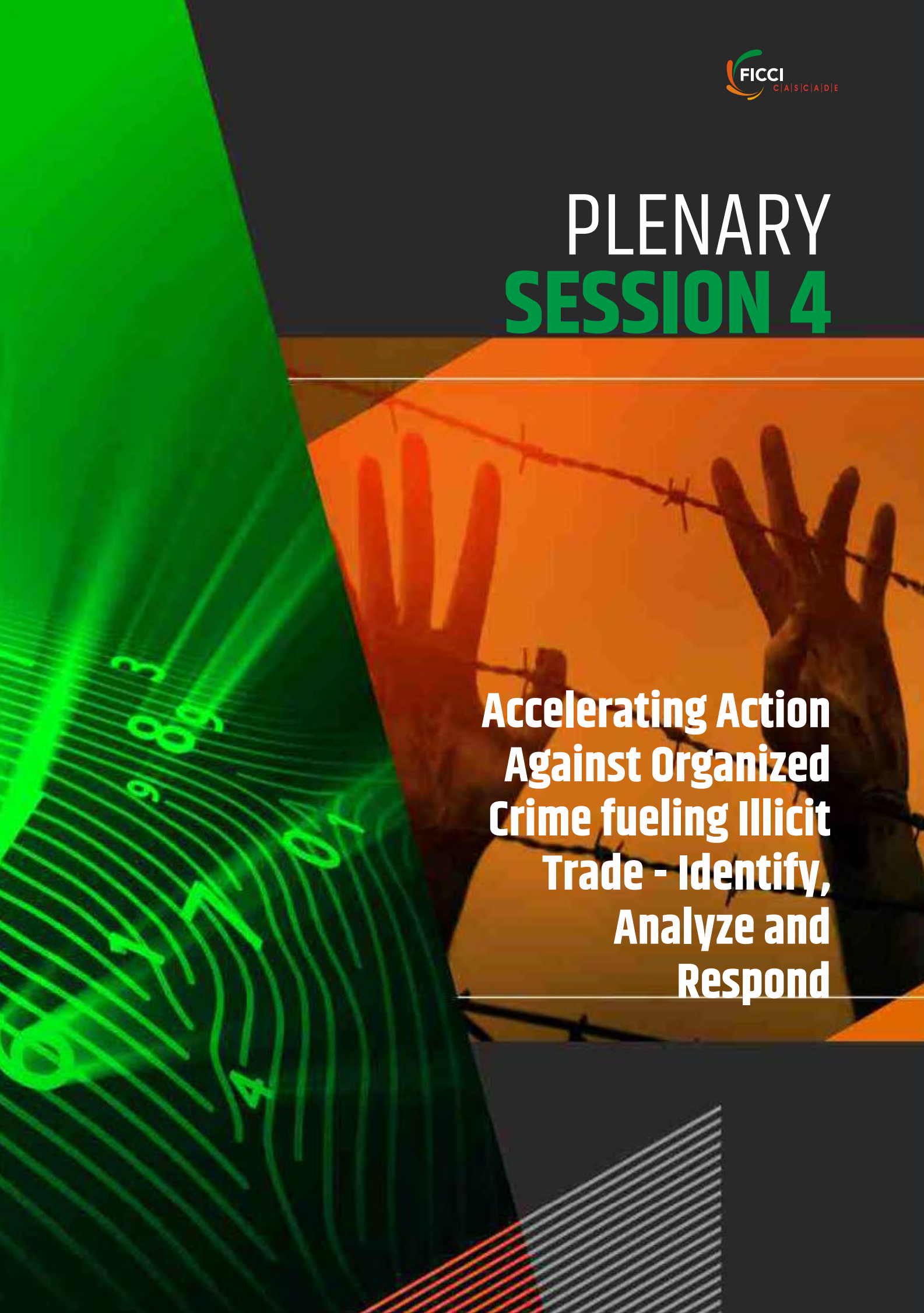
It is essential for the government and industry to collaborate to curtail the menace of illicit trade. The government should focus on setting up government agencies that are solely responsible for preventing counterfeiting and smuggling; strengthening laws and regulations to aid enforcement agencies in investigating and prosecuting perpetrators of such crimes and working on creation and implementation of standard technical solutions for anti-counterfeiting and anti-smuggling to be adopted across industry sectors.

Law cannot remain static in the visage of societal change. Therefore, whenever required new laws must be framed to address such issues. This will help to safeguard the interest of the consumers and society at large.

PLENARY SESSION 4

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100

PLENARY SESSION 4



**Accelerating Action
Against Organized
Crime fueling Illicit
Trade - Identify,
Analyze and
Respond**

India, the 5th largest economy and on its way to become the 3rd largest economy, cannot have unlawful business practices like counterfeiting and smuggling to its growth trajectory. These activities are proliferating and troubling the industry sectors. As per available statistics, the parallel economy stands at 2.2 trillion, which goes up further when digital ware and domestic consumption are included. Activities that run and contribute to the parallel economy are contrary to the democratic setup.

Mr. Anil Sinha

Former Director, Central Bureau of Investigation
and Think Tank Member, FICCI CASCADE

PRIMARY SESSION 4 : Panel Discussion

Accelerating Action Against Organized Crime
fueling Illicit Trade - Identify, Analyze and Respond

There is a need to deliberate on the contextual linkages between smuggling and transnational organised activities. Investigating agencies across the globe have found conclusive evidence of the linkages, particularly between the smuggling proceeds sponsoring organised crime and terrorism. Smugglers and organised crime across the globe are actively funding terrorism. India especially faces a threat from all sides, given its vicinity to the golden crescent and golden triangle.

Law enforcement agencies face enormous challenges not only because of these activities but also because of an underlying factor - the temptation of securing low-cost goods by gullible bargain hunters.

Apart from that, the subhuman conditions of the workers engaged in the production of fake goods are also a cause of concern. Workers toil for low wages in unsafe working conditions and are exposed to harmful materials. Children are also employed in such conditions, which has led to their stunted growth and other ailments. The utter disregard for human rights and the impunity with which human rights are violated should be a matter of concern for all right-thinking people. While smuggling and counterfeiting are classified as economic offences, this reveals that they are no less than a crime against humanity.

Despite efforts by law enforcement agencies, there has not been an expected dip in these activities because of their lucrative nature due to the high demand for cheap goods coupled with low production and distribution costs. Ironically, in these cases, the victim is also unwittingly a contributor to the problem.

Enhancement of consumer awareness is not

going to be sufficient to tackle this problem. So far, the discourse has been consumer-centric, which places an onus on the consumer itself. However, the effective intervention of the law enforcement agencies aligned with the industry's needs and cooperation is also required. The industry also needs to facilitate the work of law enforcement agencies. In the past, there have been instances where the industry has shied off from calling out fake products for fear of its brand value erosion.

A multi-pronged approach is required to address this global problem. Certain imperatives which need to be focused on are:

- » Enhanced consumer awareness
- » Capacity building programs for law enforcement agencies
- » Stringent action and strong deterrence against these activities
- » Ways and means of optimising tools and resources.

While intelligence collection is crucial, we also need real-time data analysis and sharing. Immediate dissemination of data is essential. Different agencies can use this data to go to the source from where the manufacturing and distribution of illicit products takes place. This requires a multi-dimension and multi-agency approach.

Lastly, disincentivising the production of fake and counterfeit products is important. Until now, the approach has been smuggling centric, but nothing has been done to go to the root of the problem from where production and marketing takes place. The very root of this problem needs to be tackled more efficiently to solve this major issue.



Ms. Mugdha Kalra

Senior Journalist & Content Specialist
CNBC



Organized crime is best understood as the continuation of commerce by illegal means, with transnational criminal organizations as the illicit counterparts of multinational corporations. With rapid technology evolution, illicit trade and organized crime have found a refined and vogueish nexus causing the problem to increase manifold. The illicit flow generates unlawful financial movements which undercut development, undermine national economies, and fuel further insecurity for the nation.

The focus should be on turning intelligence into investigations and the strategic importance of generating, analysing and sharing information, harmonizing legal, procedural and institutional approaches to tackle organized crime. Combating transnational crime requires a multidimensional strategy that safeguards citizens, breaks the financial strength of criminal and terrorist networks, disrupts illicit trafficking networks, defeats transnational criminal organizations, strengthens the rule of law, bolsters judicial systems, and improves transparency.



Ms. Joanne Prior

Counsellor (Australian Border Force)
Australian High Commission



Australian Border Force is Australia's frontline border law enforcement agency and customs service. It is an operationally independent body within the Home Affairs Portfolio. Its mission is to protect the borders and enable legitimate trade and travel. Australia has around 37,000 km of coastline, a lot of which is in remote areas. Apart from this Australia has major and regional airports and more than 60 international airports. Each week the ABF inspects around 1.1 million mail items, clear 7,50,000 air passengers, clear 700 ships, seize 850 prohibited drug imports, and detain many unlawful non-citizens. The ABF also collects 340 million Australian Dollars in revenue on behalf of the Australian Government.

In the global context trading nations face threat from organised criminal syndicates that smuggle illicit commodities through supply chains across the borders to feed domestic demand. The criminals exert vulnerabilities at every part of the supply chain including airports, seaports and in custom's licensed premises. They hire trusted insiders and partners to work in supply chains and at key border nodes to facilitate contraband.

From the Australian perspective - Australia's and regional border security reflects global trends, criminal trends, new overseas methodologies or shifts in global supply patterns that needs to be dealt sooner or later. Criminals systematically exploit perceived and actual vulnerabilities in processes, systems, and customs. Trusted insiders are another key term used in supply

chain integrity where criminal syndicates infiltrate in a trusted supply chain to act as organisers. ABF did a special multi agency operation called IRONSIDE. It has so far made 200 arrests, laid 300 charges, seized 4.8 tonnes of border-controlled drugs, seized 139 weapons, and over 67 million \$ in cash and assets. The operation emphasises on the important role of trusted insiders working with criminals both onshore and offshore.

Therefore, working together and being able to share information helps us tackle this problem of trusted insider in the supply chains. They are border workers of all types at key border nodes, airports, shipping airline, wharfs, etc who secretly use their skills and knowledge to help facilitate the importation of illicit goods. Trusted insiders are generally clustered around critical nodes along the cargo supply chain where they can effectively intervene to take advantage on the wharf, in brokering firms, freight forwarders, at airports, and at key logistic locations and depots. Working under a cover of legitimate businesses it is difficult to unmask them, but some indicators taken collectively can help identify high-risk individuals or at-risk groups. These are:

- a. Criminal associations and friendships
- b. Membership of criminal groups
- c. Workers with criminal records
- d. Workers in sensitive positions with unique skills attractive to criminals





Mr. Jason Gooding

Assistant Attache, Homeland Security
Investigations, US Embassy



PLENARY SESSION 4 : Panel Discussion

The Homeland Security Investigation (HSI) is a leading agency in investigation of import and export of counterfeit merchandise and pirated goods and the financial crimes that result from that. It covers not only India but also Sri Lanka, Bhutan, Maldives, Bangladesh, and Nepal. HSI investigative mandate is to investigate ---- going to and from, US border which creates a huge investigative portfolio. HSI covers areas like intellectual property, cyber-crime, narcotics, CSAM, counter proliferation, human trafficking, and stolen artifacts. HSI has created an Intellectual Property Rights Centre in Washington DC. It includes 29 domestic and international law enforcement agencies in a taskforce setting. The centre has three important approaches to combat trade crime, interdiction, investigation, and outreach. Homeland Security also regularly trains its partners both government and private to create an exchange of ideas and combat such issues.

Counterfeiting and smuggling over the years have moved to the digital marketplace. In the recent years, it has been observed that people dealing in illicit trade go online to third party marketplaces and engage in trade rather easily compared to a street corner. Digital medium has not only increased the reach to customers but also profitability. Along with HSI's mandate to combat counterfeit and smuggled products, a few operational investigations that are ongoing throughout the years include pharmaceuticals, automobile products, etc.

HSI has observed that a lot of criminal organisations have moved into these activities as there is ease of profitability and the fear of getting arrested or punished is less. HSI also deals with dark web investigations and is utilising all the approaches including outreach efforts to strengthen its relationship with foreign partners and gather further intelligence to combat illicit activities.



Mr. Praveen Sinha

Special Director, CBI and Delegate of Asia in
Executive Committee, INTERPOL



Organised crimes pose a major threat to economies around the world. It hampers investment and economic growth of the country, infiltrates and acquires control over large sectors of the economies. Illicit trade is a transnational crime and is run by very extensive and complex criminal enterprises. Illicit trade not only damages the global economy but also affects public health and safety. Organized criminals exploit the volatility in demand and supply across jurisdictions, differences in the legal jurisdictions, tax and regulatory regimes etc. Also, the organised criminal groups are highly developed and resourceful. They also take advantage of free trade zones in order to take advantage of tax relaxation.

For law enforcement agencies there are both formal and informal channels to coordinate. In India there are two formal channels:

- a. Letter Rogatory - It is a long process where through the court a letter of request is sent to another country's courts.
- b. Mutual Legal Assistance Treaties (MLAT) - India has MLAT with around 43 countries. Some of it are also sent based on multilateral agreements or

on principle of reciprocity. This is slightly faster as the administrative effort goes from one administrative domain to another country's administrative authority.

INTERPOL plays a major role in dismantling such network especially in the areas of pharmaceuticals and other illicit products. They focus on collecting data, disseminating intelligence, coordinating transnational operations, and supporting multi-agency taskforce. Training and raising public awareness have also gained focus and support operations led by enforcement agencies such as customs, anti-frauds office, etc. CBI plays main role in India as the national central bureau and acts as a nodal agency closely coordinating with law enforcement agencies in all 195 INTERPOL member countries.

India as a country in recent years has risen to the challenge and adopted a holistic approach to demean and disrupt organised crime. It is suggested that all agencies of the member nations and multinational agencies should find out ways for faster sharing of real time information.



Mr. Yusuke Inoue

Technical Attaché within the Compliance
Sub-Directorate, World Customs Organization



The role of Customs in combating counterfeiting and smuggling is very important to prevent unfair competition and guarantee equal market access to all business actors. WCO's has made an immense contribution in providing training to customs officers, as well as operational support involving police and other enforcement agencies about the risk illicit products poses to our health and safety. It has been observed that the majority of illegal goods are seized at borders, it can prove extremely difficult to trace these goods once they have entered the domestic market. As a result, customs authorities are increasingly called upon to contribute toward the fight against illicit forms of trade by expertly managing and evolving the emerging risks at borders. The COVID-19 crisis has heightened the dangers posed by the global trade in counterfeit pharmaceutical products. Serious health and safety issues have been arisen when people order fake medicines online during

Covid-19. There was a significant increase in seizures of COVID-19 tests kits and personal protective equipment such as PPE Kit, facemasks, hand sanitizers and other illicit products. WCO is continuously working with all its partners to disrupt the supply chains of counterfeit products that put the lives of millions of people at risk.

The use of information technology greatly enhances the capability of Customs to process the ever-growing volume of trade. This requires knowledge on how to analyse the trade data to target suspicious consignments and identify the infringement of goods across the border. Consequently, it becomes necessary to provide adequate training to customs officers on the use of information technology to manage data and carry out risk profiling and targeting. Investment in human resources and technology would be helpful to combat the menace of smuggling and counterfeiting.



Mr. Chi-wang Lam

Operations Coordinator, Public Health and
Pharmaceutical Crime, INTERPOL



Covid-19 has changed the dynamics of illicit market particularly for the pharmaceutical industry. The rise in consumer demand, COVID-19 pandemic, and widespread use of internet has increased the advertisement, sale and supply of illicit medical products from unauthorized and unregulated websites. It has become a growing problem in recent years, while major multinational brands jumped into the manufacturing of essential commodities, so did the local manufactures, whereas few started producing counterfeit products.

INTERPOL shares a strong commitment with member countries and industry alike to continue to improve global cooperation and enforcement capabilities in the area of pharmaceutical crime. It works to dismantle criminal networks and reduce the risk these crimes pose to public health by:

- » Collecting data and disseminating intelligence (e.g. analytical reports and threat assessments);

- » Coordinating transnational law enforcement operations.
- » Supporting multi-agency task forces to improve cooperation between police, customs, regulatory bodies and the private sector.
- » Raising public awareness of pharmaceutical crime and helping consumers to make informed choices.

INTERPOL endeavours to create modern approaches to tackle pharmaceutical crime in partnership with law enforcement agencies, international organizations, industry and member countries.

In other words, the combined efforts of police, customs, regulatory bodies and private sector companies will help to prevent potentially dangerous counterfeit products from reaching gullible consumers and will dismantle number of illegal networks behind these crimes.



Mr. Ramesh Raj Kishore

Regional Director - Asia Pacific
Pharmaceutical Security Institute, Singapore

Pharmaceutical Security Institute (PSI) principal mission is to address the problem of counterfeiting of pharmaceutical products to protect public health. Counterfeit medicinal products are a threat to the health and safety of patients around the world. They range from drugs with no active ingredients to those with dangerous impurities. They can be copies of branded drugs, generic drugs or over-the-counter drugs. PSI's principal activities include collection, analysis and dissemination of information relating to the world-wide counterfeiting of medicines. PSI gather volumes of intelligence both from private sector as well as law enforcement agencies all over the world. It packages intelligence and share it with law enforcement agencies, so that information is quickly received, disseminated and action is taken. In assessing such illegal operations, it is clear that the counterfeiters copy pharmaceutical products and there is a need to improve information sharing.

The biggest challenge is to understand one's capabilities and accepting limitations that enough effort to counter this problem is yet not taken. NGOs like PSI is happy to share information with various enforcement agencies but understanding where they are and what they want is the biggest challenge in establishing public private partnership.

Counterfeiting groups thrive in countries where the anti-counterfeiting laws are weak, the drug regulatory agencies are underfunded and understaffed, and legal sanctions are ineffective.



PLENARY SESSIONS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100

PLENARY SESSION 5



**INDUSTRY
PRESENTATIONS**
Issues, Trends and
Collaborations – Need for
Proactive Strategies
to stay ahead of
illicit players

The Consumer Protection Act, 1986 and the new Act of 2019 was enacted to provide a simple and quick solution to consumers for their grievances against any deficiency in services or defect in goods. Despite all the enactments, consumers are still at the mercy of seller or service provider of goods and services. The Consumer Protection Act provides six consumer rights and helps consumers in seeking grievance redressal for any shortcoming in the goods purchased or services availed.

The Rights of the Consumer are: -

- » Right to safety
- » Right to be informed



Mr. Hem Kumar Pande

Former Secretary, Dept. of Consumer Affairs,
Government of India and Think Tank Member,
FICCI CASCADE



- » Right to choose
- » Right to be heard
- » Right to consumer education
- » Right to seek redressal

Consumer has the right to be informed about the quality, quantity, potency, purity, standard and price of goods so as to protect them against unfair trade practices. Consumer should insist on getting all the information about the product or service before making a choice or a decision.

The Consumer Protection Act, 2019 promulgates a three-tier quasi-judicial mechanism for redressal of consumer disputes namely district commissions, state commissions and national commission. The Act also stipulates the

pecuniary jurisdiction of each tier of consumer commission. It was observed that the three-tier system takes tedious process in deciding the dispute that the consumer bring before them, leading to rise in pendency and delay in disposal of cases. Therefore, there is a need for speedy redressal to consumer disputes.

FICCI CASCADE (Committee Against Smuggling and Counterfeiting Activities Destroying the Economy) is extensively working on protecting the rights and interests of consumers, generating awareness about consumer rights, duties and responsibilities and promoting consumer welfare by strengthening consumer movement in the country. The 8th edition of MASCRUDE provided a platform to empower, inspire, and connect consumers for a safer and healthier world.



Illicit trade erodes the productivity and profitability of multiple commercial sectors, draining hundreds of billions from the legitimate economy each year

and undermining economic development and growth. It diverts income from the balance sheets of legitimate businesses and undermines their ability to create jobs and pay taxes. As per recently published paper in UNCTAD, Illicit Trade for overall size of illicit market in 12 sectors is examined at USD 1.250 Trillion (low range) to 3.574 Trillion (high range).

Why Do Consumers Intentionally Buy Illicit Products?

- » Lower prices due to tax evasion (higher prevalence in luxury sector)

Mr. Devraj Lahiri

Divisional Chief Executive
ITD, ITC Ltd.

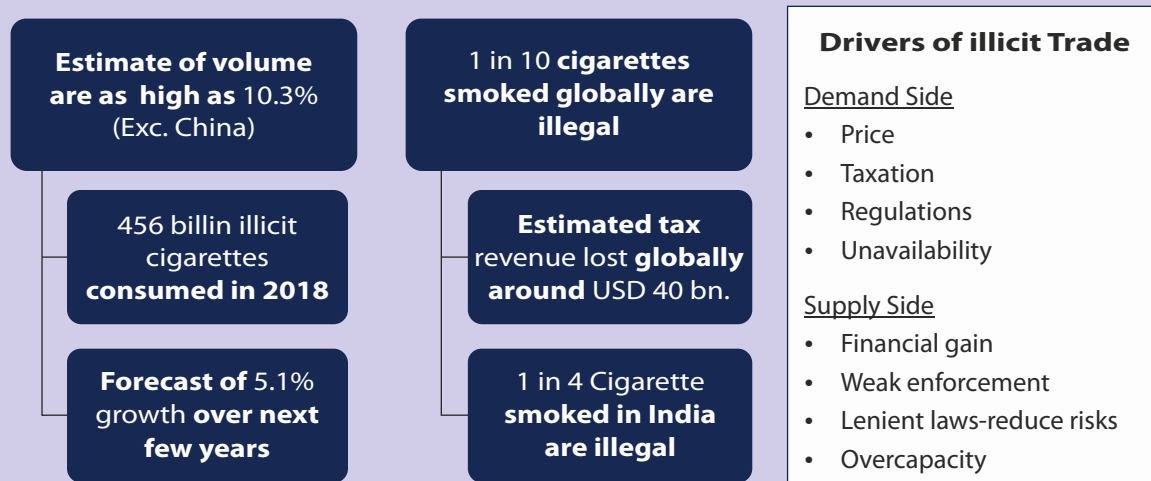
- » Feeling that genuine brands charge unfair prices
- » Some people see themselves as able to beat the system
- » Travelers, returning home with fake branded products
- » Trade push due to high trade margins

Challenges For Indian Manufacturers in Dealing With Counterfeit Products



The persistence of counterfeiting worldwide suggest that **illicit traders view the risk of detection and prosecution as acceptable.**

Global Illicit Cigarette Trade



- In India share of illicit cigarettes share is estimated to be at **27.6%** and has grown by more than **50%** in last 10 years.
- According to report published in June 2022 by Oxford Economics, illicit trade accounted for **38%** in neighbouring Pakistan in 2021

Source: Euromonitor in tobacco trade

The Indian e-commerce industry has been on an upward growth trajectory. After a surge in digital adoption during COVID-19, the Indian e-commerce market is estimated to be worth over \$55 Bn in Gross Merchandise Value in 2021. By 2030, it is expected to have an annual gross merchandise value of \$350 bn. Further, as of 2021, more than 348 Mn users were conducting online transactions, and nearly 140 Mn were shopping online. The young demography, increasing internet, smartphone penetration, and relatively better economic performance are some key drivers of this sector. With 830 million users, India is currently the 2nd largest internet market. In 2021, digital wallets were the leading payment method for e-commerce transactions with a share of 45.4%.

It has been observed that close to 100 % of pin codes in India have seen e-commerce adoption. More than 60 percent of transactions and orders in India come from tier two cities and smaller towns. The e-commerce trend is gaining major popularity even in tier-2 and tier-3 cities as they now make up nearly half of all shoppers and contribute three of every five orders for leading e-retail platforms. The average selling price (ASP) in tier-2 and smaller towns is only marginally lower than in tier-1/metro cities. Electronics and apparels make up nearly about 70 percent of the e-

commerce market when evaluated against transaction value. Other new upcoming categories within e-commerce include ed-tech, hyperlocal and food-tech. J&J created a mobile application which is used to detect the presence of a digital watermark incorporated into the artwork of the folding carton and vial labels. This application targets primarily to institutional users (law enforcement, regulatory agencies, customs, etc.) but could potentially be used by any stakeholder.

Mr. Milind Palany

Global Brand Protection Lead - India & South Asia,
Johnson & Johnson

Consumer Pulse – E-commerce



Online Brand Protection Services

PROBLEM

e-Commerce channels are proliferated with illicit products and mostly unregulated. This exposes consumers to significant safety concerns and reduces opportunities for brands.

SOLUTION

Strategic vendor with global reach, agile delivery and 90% marketplace coverage for 24/7 online monitoring of high-risk products/marketplaces to PROACTIVELY protect brands.



Johnson & Johnson

PROTECT

PATIENT SAFETY

BUSINESS VALUE

BRAND REPUTATION

155 BRANDS MONITORED

94% Overall Enforcement Compliance Rate

COLLABORATION

- Internal collaboration with Global Security, legal, etc.
- 110 brands enrolled in Amazon Brand Registry and Amazon Project Zero
- Filed with Amazon Crime Unit
- eBay proactive removal of prohibit products
- Alibaba invitation only programs
- Industry Disruption Program (e.g. PSD-17/18)

540+ platforms covered

23k+ notifications triggered daily

2k+ images protected every day

© 2024 J&J All Rights Reserved

- 121 brands configured with 25 logos trained and 1,563 images trained for matching searches
- 6,622 keywords across 14 campaigns on 467 platforms over 10 languages
- Resulting in 2,002,707 total detections analyzed by 363 different automated rules to prioritize listings in 2023

INNOVATION

Strategy – Deliver “best-in-class” program for comprehensive online detection worldwide

- Intel Monitoring & Enforcement
- Online Test Processes
- Online Intelligence
- Online Content Intelligence

Challenges in E-commerce space

- » New emerging B2C / B2B platforms mushrooming in India with absence of robust IPR policy at the time of launch
- » Difficulty in obtaining access to basic data & information of the delisted counterfeit sellers from B2C/ B2B platforms
- » Robust KYC process for onboarding a new seller
- » Opportunity to add more stringent monetary penalties & legal actions on identified online sellers / traders who are involved into the business of illicit trade on B2C and B2B platforms

Agro Chem Federation of India (ACFI) is an industry body, which works as an interface between government, industry & farming community on the policy matters for the betterment of the Indian farming sector. Aim of ACFI is to achieve sustainability in the agriculture sector for the benefit of overall Agro-based Industry and to provide quality agri inputs to the farming community at affordable prices. ACFI is committed towards promoting the safe & judicious use of agrochemicals and promotion of new technologies & products which are eco-friendly. As per IARI, 80-90% crop losses happen due to non-usage of quality pesticides. The Annual production losses due to pests & diseases in India is valued at ₹7.97 lac crores (@ 20% loss) & ₹15.95 lac crores (@ 40% loss) respectively.

Yield Gap Comparison : Global vs India

India can benefit from an increase in crop yields

(India's average crop yields need to be increased)

Crop	Global Yield and Cost	All India Yield Average	World Average	Gap With World Average
Wheat	6.87 T/ha	3.75 T/ha	4.50 T/ha	-0.75 T/ha
Rice	7.92 T/ha	5.50 T/ha	5.80 T/ha	-0.30 T/ha
Soybean	12.00 T/ha	7.50 T/ha	9.00 T/ha	-1.50 T/ha
Groundnut	12.00 T/ha	7.50 T/ha	10.00 T/ha	-2.50 T/ha
Mustard	1.80 T/ha	0.80 T/ha	1.00 T/ha	-0.20 T/ha
Coconut	24.50 T/ha	12.00 T/ha	18.00 T/ha	-6.00 T/ha
Apple	30.00 T/ha	15.00 T/ha	20.00 T/ha	-5.00 T/ha

Source: www.icas.ac.in/Document/12448/12448.pdf



Mr. R G Agarwal

Mr. R G Agarwal

Chairman- Advisory Committee,
Agro Chem Federation of India
and

Dr. P K Chakrabarty

Former ADG (PP&B)
ICAR, and Member ASRB



Illicit trade drains 2.2 trillion from the global economy every year - which is equivalent to nearly 3% of the world economy. Global study on counterfeit pesticides by OECD 2020, found that illegal pesticides has been growing steadily in recent years. The share of illegal pesticides on the global pesticides market is USD 8-20 billion per annum @ 10-25%. (Global pesticide market valued at over USD 80 billion in 2021).

Illicit pesticides can devastate markets for particular products by eroding public confidence in established producers, agricultural producing countries, and perceptions of food safety. They also cause reputational damage to established food producers, products, brands and exporters.

Impact of Counterfeit / Duplicate / Fake / Parallel market of Agrochemicals

- » Such products not only cause harm to farmers (income & yield loss), environment, end users, industry & Govt. (massive tax losses) but also cause crop losses worth lacs of crores of rupees.
- » Counterfeit products also pose risk to the environment by means of contaminating the soil, water and beneficial organisms. Besides, business, brand and regulatory risks to genuine agrochemicals companies through loss of sale, threats to brand reputation and regulatory consequences.
- » Ghost companies across India take advantage of laxity in registration process (CIB&RC) & selling duplicate (fake, adulterated, misbranded, counterfeit etc.) pesticides.

The key challenging factors are:

- » Theft/pilferage of raw material or its specifications, design information, packaging material by the suppliers.
- » Adulteration of original agrochemicals within

or outside the manufacturing units.

- » Grey Marketing by third parties in the rural distribution channel like carrying and forwarding agents, warehouses, transporters, distributors and retailers.
- » Full Replication of the original product and sold as a counterfeit within the existing company's supply chain or independently.

Regulatory Challenges- Way Forward

In order to check proliferation of fake pesticides and illegal trade business:

- » Regulatory guidelines should be strictly followed for proper inspection and interception without discrimination, to prevent smuggling and counterfeiting.
 - » Samples should be scrutinized uniformly without any bias from all manufactures/dealers and not a handful of genuine companies, sparing the fly-by-night operators to escape.
 - » The violators should be strictly dealt as per IPC for their criminal offence to send them a strict message as stated by Hon'ble Former Vice President.
 - » Manufacturing licenses should be given only to the manufacturers who fulfill the requirements of Insecticide Act, conditions of RC and meet the requirements of infrastructure and manufacturing facilities.
- ç It would be prudent to constitute a task force with officials from various departments (GST, Pollution, Excise & Customs, Enforcement Directorate and Agriculture Department) and the licenses should be renewed only of those companies who meet various guidelines notified.

WAVELECTORY SESSION

WAVELECTORY
SESSION

VALEDICTORY SESSION



The level of illicit trade in counterfeiting and smuggling is humongous and staggering. It is appropriate to observe that annual drain on the global economy is estimated at USD 2.2 trillion - nearly 3% of the world's economy as per World Economic Forum. FICCI CASCADE's recent report titled *Illicit Markets: A Threat to Our National Interests* examines the impact of illicit trade in five key industries in India - Mobile Phones, FMCG-Household and Personal Goods, FMCG-Packaged Foods, Tobacco Products, and Alcoholic Beverages. According to the report, the size of illicit market in the above-mentioned industries was ₹2,60,094 crore for the year 2019-20, with the

Justice Manmohan Sarin

Former Lokayukta, NCT of Delhi, Chief Justice, High Court of Jammu & Kashmir, Judge, High Court of Delhi and Think Tank Member, FICCI CASCADE



FMCG industry - household and personal goods, and packaged foods together accounting for 3/4th of the total illicit value of goods in five key industries. The total estimated legitimate employment loss is estimated of 15.96 lakh.

FICCI CASCADE has been working and engaging for more than a decade with industry, policy makers, law enforcement officials, voluntary organizations and consumer at large to effectively combat the menace of smuggling and counterfeiting. FICCI CASCADE has been organising various awareness programmes, seminars, conferences, consumer awareness campaigns and youth sensitization programmes like competitions among the school children on the subject to sensitize them about the gravity of this problem and inculcate in them from a young age the ethos of harmful effect of illicit trade and smuggling. The temptation can only be addressed by constantly making our younger generation aware of the pernicious effects on economy so that the right values are imbibed.

The fight against smuggling and counterfeiting must be multipronged to respond to its various

facets. The campaign of "Jago Grahak Jago" is an awareness programme launched for the safety of gullible consumers who are getting deceived and buying fake products. For such cases -consumer awareness, consumer education and stringent action against those who are indulged in smuggling and counterfeiting are required. There is yet another aspect which needs to be addressed when a consumer either on account of economic factors or low prices knowingly buys fake or duplicate product and have got no element of deception. There must be a change of mindset of consumers with a consensus of shunning the use of counterfeit products. We need to build a mindset where the consumer should overlook the immediate price benefits and opts only to buy genuine products. It is in this context, that one remembers Victor Hugo who said "There is nothing more powerful in the world than an idea whose time has come." The time is right for working on this idea with all our zeal, energy, mind, and resources at our command.

It is often said that the punishment under the

laws related to smuggling and counterfeiting is lax and the fine imposed is insufficient to act as deterrence to curb the increasing instances of violations. Imprisonment and fine should be of such severity and magnitude that the criminal should not indulge in illicit trade practices. There is also a clamour to make the offences relating to counterfeiting as cognizable and non-bailable offences. Even within the existing legal framework there is enough discretion and leeway to effectively carry out judicial power for attaining the desired objects. The imposition of exemplary costs in repeated infringement of trademarks and passing off goods are illustrative of recent judicial trends.

In Consumer Protection Act 2019, the legislature instead of bringing amendment of the 1986 Act has repealed the entire act. This has been done primarily considering the rapid and emerging

trend of e-commerce, online sales and world supply chains. The Act has brought within its ambit consumers who are involved in online transactions and certain significant modifications have been brought forth concerning the pecuniary jurisdiction for all the forums i.e. the District, State, and National Commissions. The Act provides for central consumer protection authority to regulate matters relating to violation of rights of consumers, unfair trade practices, false and misleading advertisement, another addition which is prejudicial to public interest. The notable interest is to create an investigation under the statute itself. It provides for dealing with complaints of consumers as a class.

Judiciary needs to be sensitive to the fact that in order to eradicate illicit trade it will be critical to take stringent measures that disincentivises illicit operators to undertake such unscrupulous





activities. Judiciary should urge consumers to demonstrate responsible buying behaviour before acquiring any goods or product and not indulge in purchasing illegal products which are banned by the government. Consumers must themselves be sensitive towards malpractices by the illegal manufacturer, importer or seller before they exercise their right to seek remedy at court. Judiciary needs to have a robust vision which can comprehend the impact of such crimes on national economy, health & safety of the citizens and prevent the damage to legitimate industry.

An efficient, transparent, accessible, and

affordable judicial system is a key touchstone of good governance. It is therefore, suggested to organize judicial orientation programmes for judges of different states at the National Judicial Academy. It will go a long way in sensitizing judiciary in achieving the objective of combatting the menace of counterfeiting and smuggling within the existing legal framework till the desired legislative changes are made. Such orientation programmes will help to focus on the issues and challenges, which Judiciary is expected to address in resolving disputes in the changing scenario of technology, trade policies and developments in law.

Counterfeiting and smuggling are global problems of enormous scale, impacting virtually every industry sector around the world. India is no exception, suffering from significant economic, health, and safety consequences due to widespread counterfeiting, and smuggling in the country. Small businesses, knowingly or unknowingly buy counterfeit technology or equipment and suffer unanticipated costs in breakage, business downtime, and unenforceable warranties. Counterfeiting adversely affects the Indian economy by causing a loss of revenue and employment. The loss of revenue to the government has a direct impact on welfare spending on subjects such as health care, and education. In this regard, the US Federal Bureau of Investigation has correctly designated counterfeiting as 'The Crime of the 21st century'.



Hon'ble Justice Sanjay Kishan Kaul

Judge of Supreme Court of India

As per research conducted by this committee, counterfeiting and smuggling are not limited to luxurious and extravagant products. With modern-day technological advancements, professional fraudsters have been adapting to new methods. Basic and most used products such as computer hardware, packaged foods, and mobile phones purchased by the nominal consumer have become susceptible to counterfeiting. Fraudsters are now using the latest manufacturing and printing technologies to duplicate finishes, print boxes, labels, codes, and packaging that perfectly create a replica of genuine products.

India as a developing nation has fostered constant economic growth and development. It is currently the fifth largest economy in the world and the third largest in terms of purchasing power parity. The growth in small and large cap businesses through innovation and creativity has

facilitated India's economy to unleash its massive potential. The importance of innovation and creativity in stimulating the growth of the country has been rightly observed by the Former President of India, Late Shri Pranab Mukherjee as follows:

"The future prosperity of India in the new knowledge economy will increasingly depend on its ability to generate new ideas, processes, and solutions. The process of innovation shall convert knowledge into social good and economic wealth. In a globally competitive world, India has to unleash its innovation potential to increase capacity, productivity, efficiency, and inclusive growth."

The effectiveness of a country's intellectual property rights regime is a critical element for unlocking a nation's full innovative capacity. An effective intellectual property rights regime



releases the potential of inventors and creators. It empowers them to transform ideas into high-quality products and services that create jobs and stimulate economic growth. The protection of these intellectual assets is increasingly important in enabling countries to reach their economic development goals.

India has made important efforts to improve its legal framework and enforcement system and has taken several initiatives to modernize its administration. Some major achievements include an increase in the level of computerization, creating an online facility for filing and processing applications, and computerizing intellectual property records to create databases.

The effective protection of the rights of intellectual property owners can be carried out by the judiciary, with the understanding of laws, statutes, and judgments. The judiciary that comprehends the crime and fixes the quantum of damage must be such that it protects the rights holder and prevents any subsequent infringement.

Customs laws in India provide adequate teeth to enforcement and penal provisions in the Act. The laws vest in Customs officers the power to issue search orders, make seizure of goods believed to be smuggled, arrest suspects prima facie involved in smuggling, and confiscate smuggled goods. India as a member of the Trade-Related Aspects of Intellectual Property Rights (TRIPS) has enacted and adhered to several norms and procedures as enumerated in the TRIPS agreement to constrain smuggling and empower border enforcement of intellectual property.

The Indian statutes provide for both civil and criminal remedies. Civil remedies are in the form of injunctions and damages or rendition of accounts. The courts are well versed with the adverse effects of infringements and even grant ex parte injunctions at the admission of a lawsuit, especially where counterfeiting is involved. A civil suit before a commercial court has the provisions for summary judgment. Courts have increasingly been resorting to summary judgment while deciding cases involving the counterfeiting of products. Anti-counterfeit lawsuits, by their





inherent nature, are perhaps the best cases in which to invoke summary proceedings. Under the system, the case can be decided without oral evidence immediately after service of notice on the defendant, thereby significantly reducing the time frame of the case.

Under criminal remedies, one may even have to undergo imprisonment for counterfeiting products. The offences under this category are cognizable in nature, allowing authorities to be proactive and vigilant in their endeavour against counterfeiting and smuggling. Right holders are increasingly instigating criminal enforcement actions, especially to target large-scale manufacturers or where infringers continue with their acts despite civil action. The courts have adopted the practice of plea bargaining, whereby the offender accepts their guilt, and the court convicts them by imposing heavy costs payable to the rights holder, but with no imprisonment. Most rights holders have embraced this procedure, as it facilitates the early disposal of cases with favourable orders.

While every citizen must be made aware of legal provisions to deal with counterfeiting and

smuggling, they should also in turn understand the importance of buying genuine goods and never buy illegal products/substances which are banned and willingly fall prey to these illicit marketers. In order to create mass awareness about the ill effects of counterfeiting and smuggling, it is necessary to reach out to all sections of society. India will have to adopt innovative and interactive measures to reach out to its consumers. One such example is Japan's 'Manga Comics' which has been considered exemplary by the World Intellectual Property Organization (WIPO). Manga Comics in Japan creates awareness of the danger of counterfeit pharmaceuticals and cosmetics products by narrating the story of teenagers who learn about the benefits of intellectual property such as patents and trademarks on the entire society.

MASCRADA 2022 focuses on curbing the problem of growing illicit trade by creating awareness and disseminating information to the consumers, members of the industry, policymakers, legal luminaries, law enforcement agencies, and voluntary consumer organizations to keep them abreast on the issues around this global scourge.

Judiciary can play a significant and pivotal role as an interpreter of law to combat counterfeiting and smuggling and prevent the resultant damage to brand owners, consumer, and the society at large. Indeed, Judiciary has to do a tight rope walk before delivering any verdict as no guilty should be left and no innocent should be punished. A common man who suffers the most is not aware about their legal rights, such deliberations empower them and if even one person gets benefited by it, it is considered as an achievement. It is a collective responsibility of all the stakeholders to

Mr. Sanjeev Tripathi

Former Chief of RAW and Think Tank Member,
FICCI CASCADE

keep a watch on such unlawful activities for the betterment of the nation, and together we can strongly fight this evil.

MASCRADE 2022 enlightened the participants on the growing menace of counterfeiting and smuggling. Conference deliberated on a wide array of issues and several important recommendations can be adopted from the important discussion. The two-day conference organized by FICCI CASCADE had a well-attended audience. The sessions were not only informative but enhanced the knowledge and added a new perspective. The learned speakers came up with suggestions to the problem of counterfeiting and smuggling, which is not only plaguing India but the entire world.

Senior functionaries from leading international



institutions like World Customs Organization (WCO), WIPO, INTERPOL, Organization for Economic Corporation and Development (OECD), UNODC, US Homeland Security and Australian Border Force took part in the deliberations and helped in suggesting ways to overcome this growing menace.



RECOMMENDATIONS



RECOMMENDATIONS



**Recommendations
to
Combat
ILLICIT TRADE**



RECOMMENDATIONS TO **Combat** **ILLICIT TRADE**





FICCI CASCADE

COMMITTEE AGAINST SMUGGLING AND COUNTERFEITING ACTIVITIES DESTROYING THE ECONOMY

2023

Background

The growing levels of smuggling and counterfeiting is posing a significant risk to our projected pace of economic growth during the Amrit Kal. Illicit trade in terms of smuggled, and counterfeit goods is a very dynamic and constantly changing phenomenon. Illicit trade activities undermine the legitimate competitive advantage of right holders, hamper innovation, employment, and long-term economic progress of the country. The effects of trade in smuggled and counterfeit goods challenge the well-being of consumers, efficient businesses and effective governance. Illicit trade has been termed as the crime of the 21st century on account of its impact on all world economies, be it the developed or the emerging ones. Despite global efforts, it continues to grow into a lucrative proposition for some, at the cost of causing significant losses for the industry, governments, and society at large. With the Indian economy aiming to reach the target of a \$5 trillion economy such illicit trading activities have a serious decelerating effect on the country's growth potential.

FICCI CASCADE

FICCI CASCADE (Committee Against Smuggling and Counterfeiting Activities Destroying the Economy) has been pursuing a campaign to counter the challenge of growing illicit trade in counterfeit and smuggled goods. FICCI CASCADE has adopted a 4-pronged approach to generate awareness, capacity building of law enforcement authorities, interaction with stakeholders, research to assess the extent of problem of illicit trade and making suggestions about changes in laws. The committee aims at creating a national movement to make India safe from the bane of smuggling and counterfeiting by advocating effective actions, promoting legal businesses and protecting consumer's interests, thus, achieving the vision of a secure, healthy and prosperous India.

A report by FICCI CASCADE released in September 2022 titled- "Illicit Markets: A Threat to our National Interests", examines the magnitude of illicit market in some of the key Indian industries and assesses its impact on sale of legitimate goods, employment, government's revenue, and the overall economy. The report mentions that unlawful trade in five key industries (Mobile Phones, FMCG-Household and Personal Goods, FMCG-Packaged Foods, Tobacco Products, and Alcoholic Beverages) results in a total estimated employment loss of 15.96 lakh. The estimated size of illicit market in these five key industries was ₹2,60,094 crore for the year 2019-20 and the revenue loss to the government in these industries was ₹58,521 crore, in the same period.

Stakeholder's Response

FICCI CASCADE is working closely with the Industry and Government to create awareness on how counterfeiting and smuggling has become a serious menace to public health and safety, and why all concerned must address these important issues. Over the years, several senior functionaries from leading international organizations, such as World Customs Organization (WCO), World Intellectual Property Organization (WIPO), INTERPOL, United Nations Office for Drugs and Crime (UNODC), Organization for Economic Corporation and Development (OECD), US Homeland Security, UK Intellectual Property Office (UKIPO), and Australian Border Force have associated with CASCADE its battle against this global scourge. Encouraged by their support, we have been successfully organizing our flagship international conferences every year on this subject. CASCADE organized the 8th edition of the conference- MASCRADE, 2022 (Movement against Smuggled and Counterfeit Trade) on the theme: "Unleashing the Power of Consumers in the fight against Smuggling and Counterfeiting". The conference was organized to generate awareness amongst the consumers to safeguard their welfare and interest from the ill effects of the illicit trade. During the exchange of ideas by the experts several suggestions were made to combat the growing menace of illicit trade.

FICCI CASCADE's Recommendations

In India, the Government has initiated significant measures to address the growing hazards of counterfeiting and smuggling. The legal framework is well developed in India and the government has taken numerous steps to protect consumers' health and safety from the dangerous counterfeits/smuggled products. However, further steps are required, to make changes in the policies to enhance efficiency of enforcement agencies and raise awareness of people on this issue. In the above background, FICCI CASCADE would like to submit the following recommendations to the Government for consideration.

S. No.	Ministry	Page No.
1.	Cabinet Secretariat and the Prime Minister's Office	119
2.	Ministry of Finance	120
3.	Ministry of Consumer Affairs	120-121
4.	Ministry of Home Affairs	122
5.	Ministry of Law and Justice	122-124
6.	Ministry of Commerce and Industry	124-125
7.	Ministry of Electronics and Information Technology	125-126

Cabinet Secretariat and the Prime Minister's Office

While globalisation has been an important engine of economic growth and trade facilitation, it has also increased opportunities for illicit trade, posing multi-dimensional challenges to national administrations. In India too, despite the laudable work by government and the concerned enforcement agencies, the menace of illicit trade continues to be a key challenge, causing significant loss to industry, government and consumers, posing problems for the country becoming secure and prosperous.

As per the available statistics, the following are the main items smuggled into India:-

- | | |
|---------------------|----------------------|
| 1. Gold | 2. Electronics |
| 3. Tobacco products | 4. Luxury goods |
| 5. Textile goods | 6. Pharmaceuticals |
| 7. Food products | 8. Chemical products |
| 9. Automobile | |

Recommendation(s):-

1. Import Policies that create trade barriers incentivise smuggling, and as such, there is need to examine them with a view to make them facilitative for the flow of legitimate International Trade and curbing economic offences such as smuggling.
2. Taxation Policies: Moderate tax rates on goods that are prone to smuggling are required since high rates of taxation enhance profit in evasion. With a view to disincentivize the illicit trade, there is a need to enhance the existing limits of financial penalty to make trading in illicit goods unprofitable.

A. Setting up of Nodal Agency for data collection

A nodal agency for data collection is crucial for the government to effectively address the problem of illicit trade. This would be an organisation that can provide a centralized repository for data on smuggling and counterfeiting, allowing for better analysis of ground situations and help in the process of informed decision-making.

Recommendation(s):

1. Inter-agency coordination and cooperation has to increase further. The nodal agency can also serve as a coordinator for inter-agency efforts to address this issue by facilitating cooperation and coordination among various agencies.
2. Improved intelligence: Better coordination among various intelligence agencies of the government is required to improve the mechanism of intelligence sharing. Effective coordination and close cooperation would result in sharing of actionable intelligence among different law enforcement agencies on real time basis.

B. Trade Agreements

For curbing smuggling at global level, effective collaboration among different nations is needed to fight this menace.

- a. India's import duty rates should be at the same level as in other South East Asian countries.
- b. Import duty at high level encourage smuggling as in the case of items like gold.

Ministry of Finance

A. Enhancing Data Analytics Capabilities

Digitalisation of revenue collection system of the government should be done on priority basis. Improvement has to be made to make it hassle free since the procedural difficulties reduce compliance and encourages invasion.

Recommendation(s):

1. Suspected consignments of high volume and high value trades ought to be automatically flagged by the system so that they can be manually verified. This will result in reduction in number of instances of fraudulent trade. It is recommended that risk-analysis and information-based technology solutions be used at much larger scale for this purpose.
2. There is an urgent need to use the modern gadgets like container scanners etc. at a much larger scale at all custom stations in the country as is already being done in several developed countries of the world. India on the faster progress path can not afford to be lagging in this regard.

B. Review of Incentive/Award System

The Central Board of Indirect Taxes and Customs reward the informers who provide information to the department on smuggling of goods and evasion of taxes under the scheme, "The Guidelines for Grant of Reward to Informers and Government Servants, 2015".

Recommendation(s):

1. It is suggested that this incentive scheme should be publicized widely with a view to elicit public participation at a bigger scale.
2. As per a judicial order, confiscated smuggled tobacco products are to be destroyed, and as a result of this, there are no proceeds from sale of such goods hence no money is available for granting rewards. This approach needs to be reconsidered on the pattern of incentive schemes for narcotics and psychotropic drugs. The value of the seized goods alongwith gravity of the offence may be taken into account to determine the amount of monetary reward in such cases. The reward scheme should be put in place for informers and enforcement officers equally in respect of infringement of IPR laws also on the same lines as exists already in respect of offences under the Customs and GST laws.
3. It has been observed that the tax rate on certain items are unreasonably high which leads to higher evasion of duty on such goods as an incentive for evasion. In view of this, the government should try to maintain a right balance between the considerations of revenue need and the tax rates not being unreasonably high to incentivise non-compliance and evasion.

Ministry of Consumer Affairs

A. Campaign for Awareness and Education

The market for counterfeit and smuggled products can be divided into two important sub-categories. In the primary market, consumers purchase counterfeit products believing that they are buying genuine articles. Such products are often of sub-standard quality and carry health and safety risks that range from being mild to life threatening. In the secondary market, consumers looking for cheaper

products buy counterfeit and smuggled products unknowingly, thereby exposing themselves to the risk of their health and safety. There is a need to educate consumers with a view to bring about required change in their mindset. The most important thing is to continuously generate awareness and educate consumers about the risks associated with purchasing fake or smuggled products available in the illicit market.

Recommendation(s):

1. Revamping Awareness Campaign

The "Jago Grahak Jago" awareness campaign carried out by the Ministry of Consumer Affairs can be revamped including the following suggestions:

- » Illegal trade in terms of counterfeiting and smuggling has a significant and far-reaching impact on the country's economic growth and development. As such, while making purchases, they should exercise extra care to prevent possibility of getting goods from the grey market.
- » To educate the consumers about the need to raise their voice when they notice that the goods bought by them are not genuine. They should also make the use of the institution of consumer courts.
- » Every time a customer purchases a product, he/she should ask for a bill that will, to a very great extent, ensure that the product is authentic. This will also contribute towards increasing the tax revenue and making the nation more tax compliant.
- » Consumer education campaigns would increase consumer confidence about the quality of products they purchase, thereby helping to create a safer and more trustworthy market.

2. "Track Your Product" App

It is suggested that the Ministry can develop a mobile app that allows consumers to scan product barcodes and track the product's journey from manufacturer to retailer. This app can also provide information on product authenticity, helping consumers to avoid purchasing illicit goods.

3. Establishing a Consumer Complaint Portal

- A centralized portal may be created where consumers can report incidents of availability of counterfeit or spurious products in the market.
- This information would be useful for taking action against the sources of these products.
- The portal can also be used to track trends and patterns in the sale of counterfeit/smuggled products.
- Also by having a central repository of information on illicit products, the ministry can gain valuable insights into the issue and develop targeted solutions.
- It will also help in knowing about the main centres of sale of illegal products. This will improve the search and seizure mechanism of the concerned enforcement agencies.

4. Implementing Self-Regulation Measures

- The Ministry of Consumer Affairs can encourage industry associations and businesses to implement self-regulation measures, such as product labelling, product tracking, and consumer education to check the flow of illicit products in the market.
- Self-regulation measures taken by the Ministry will also increase consumer confidence in the products they purchase, and in this way, reduce the demand for counterfeit or spurious products.

Ministry of Home Affairs

A. An Intuitive Intelligence Sharing System

Smuggling involves illegal transportation of goods across the international borders, and it is often coordinated by global criminal syndicates that work at a multinational scale. The problem can be tackled only with concerted all-out and all-round action against each of the components of this ecosystem. It needs a better intelligence sharing system among all the law enforcement agencies including forces manning the borders and the revenue intelligence.

Recommendation(s):

1. A state-of-the-art intelligence sharing platform needs to be created, with an integrated AI system. This will collate intelligence inputs from border forces, customs, revenue intelligence and other law enforcement agencies. The AI techniques are also required to be made use of, on a large scale.
2. The issue currently is the abundance of information and siloed intelligence, which at times is not actionable. The system being suggested will bridge those gaps, filter, and help narrow down on suspicious cases, cargo, vessels, trade, imports and provide actionable intelligence to the enforcement agencies.

B. Focus on Infrastructure, Capacity and Resource Building

For the purpose of enhancing detection and investigation, law enforcement agencies require capacity building in the areas of skill, infrastructure and technology. Presently, the focus of law enforcement agencies is on crime control, security and maintaining law and order. It is high time that crime against intellectual property, counterfeiting and smuggling also finds priority of the state police forces. In the recent past, many states have established Economic Offence Wings, however, the strength of manpower, its skill and other resources are not commensurate with the size of the problem. The states need to relook at it to make these special wings effective.

C. Improve Market Surveillance

Market surveillance is crucial to counter the proliferation of illicit products by ensuring that products placed in the market conform to the relevant legal and technical regulations. It will help in combatting the menace of smuggling and counterfeiting by checking goods before they enter into the supply chain.

Ministry of Law and Justice

An integrated strategy of government support, judicial actions and corporate planning can play an important role in curbing illicit trade. The laws of India provide a wide array of remedies against counterfeiting and smuggling under various statutes, such as statutory, civil, criminal and administrative remedies. However, it is felt that the existing punishments provided under the law are not as effective as they should be for preventing offences under the IPR laws.

Recommendation(s):

A. Strengthening Legal Provisions

Despite several efforts to identify an optimal legal framework and adopt the most efficient strategies to combat counterfeiting and smuggling, it still remains a constant problem worldwide. In order to make the law enforcement agencies effective in their efforts to conduct investigation into the cases of crime and launch prosecution against the criminals involved in such crimes, existing laws and relevant regulatory framework need to be strengthened further. The government should focus on setting up a dedicated agency that exclusively deal with the cases relating to counterfeiting and smuggling.

B. Penal Provisions

1. It is felt that the penal provisions provided under the Trademarks Act, 1999 and the Copyright Act, 1957, are not stringent enough to have a deterrent effect on criminals. Currently punishment that can be awarded under these laws for the first offense, is a monetary fine between Rs. 50,000/- and Rs. 2,00,000/-, as well as imprisonment for a period ranging from 6 months to 3 years; for subsequent offenses, the penalties increase to a monetary fine between Rs. 1,00,000/- to Rs. 2,00,000/-, as well as imprisonment for a period ranging from 1 year to 3 years.
2. Further, since the maximum imprisonment under these laws is upto three years only the criminal gets bail at the first instance itself which creates an impression that he has not done anything serious, and he is able to instantly resume his criminal activity soon after his release. There is an urgent need to review the penalty provided in these laws so that the offences under these acts become non-bailable. This will go a long way in creating deterrence among the criminals indulging in illicit trade.
3. In a manner similar to that of the Customs Act of 1962, it is proposed that the fine imposed under the Trademarks Act and the Copyright Act may be increased up to the value of the goods that are involved, and limit of imprisonment may be enhanced for a period of up to seven years in such cases where volume involved is high.

C. Proactive Judicial Approach

The judiciary, in its capacity as an interpreter and protector of law, plays a pivotal role in the fight against smuggling and counterfeiting, as well as in preventing the damage that these activities can cause to the brand owners and to the common man in general. The Judicial branch has a visionary approach that can be used to fill the gaps in the legislative actions. This would be acceptable, particularly when done with the intention of achieving the goal of reducing socio-economic crimes that affect the economy and the common man.

Recommendation(s):

I. Adjudication and Prosecution

- » The efficient investigation of cases and the prompt and appropriate filing of criminal charges are essential components of effective law enforcement. Hence these are needed to be done in a more professional manner.
- » The adjudication proceedings should be completed within one year of their initiation in order to expedite the quasi-judicial proceedings .

- » When an offence is "compoundable," a mechanism known as "Alternative Dispute Resolution" (ADR) should be put into place in order to reduce substantially time taken for adjudication and prosecution of proceedings.

II. Program for Judicial Officers

It is suggested that the National Judicial Academy may consider organizing orientation programmes for judges to sensitize them in recognizing the serious adverse impacts of counterfeiting and smuggling so that the cases regarding illicit trade can be expeditiously disposed of sending right signal to criminals involved in such cases.

III. Summary Proceedings

A civil suit before a commercial court has the provisions for summary judgment. Anti-counterfeit lawsuits, by their inherent nature, are perhaps the best cases to invoke the process of summary proceedings. It is suggested that the proposed case management system should include provisions for summary trial for counterfeiting cases which will enable expeditious disposal of such cases.

Ministry of Commerce and Industry

Sale of counterfeit and smuggled goods has a ripple effect on the economy, as businesses down the supply chain also suffer due to this. Overall, the daunting impacts of illicit trade due to its spiralling effect is substantial, and the governments and businesses must work together to combat it through strengthening trade agreements, monitoring exports, encouraging brand protection, promoting compliance with international standards and facilitating collaboration with industry amongst others.

Recommendation(s):

A. Strengthening Trade Agreements

Illicit trade operates under the shadow of the legal trade with traffickers using sophisticated technological tools. Various international standards are in place to prohibit or discourage illicit trade and promote implementation of legal, regulatory, and operational measures to combat the proceeds of illicit trade. It is felt that there is an urgent need to strengthen trade agreements and regulations to prevent counterfeiting and smuggling in a much more effective manner.

B. Monitoring Exports

It is suggested to monitor exports to ensure that goods exported from India are not counterfeits or spurious products.

C. Encouraging Brand Protection

- » Encouraging Indian businesses to take steps to protect their brands, including registering trademarks and patents as imperative.

- » Engaging with e-commerce platform players with a view to detect online transactions in illicit products must be encouraged.
- » Engaging with couriers and postal intermediaries in an attempt to detect and interdict trade in illicit products would also be helpful.

D. Promoting Compliance with International Standards

To promote compliance with international standards and regulations related to the trade of goods, including the World Trade Organization's Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), will play an important role in combatting the menace of smuggling and counterfeiting. WTO has laid down rules to address the growing threat of illicit

trade by promoting better transparency and predictability, along with strengthening borders and regulatory controls.

E. Facilitating Collaboration with Industry

Illicit trade is a growing criminal activity that impacts security of nations globally and presents threat to communities and societies as a whole. In view of this, it is recommended that there should be better coordination and collaboration between businesses, government, and e-commerce players to effectively tackle the problem of illicit trade. This can be done by holding regular meetings and consultations with industry representatives to exchange information and ideas to develop better understanding among the members. There is a need to expand the capacity for accessing, integrating, and evaluating datasets from stakeholders. A cumulative approach will help in effectively addressing the challenge.

Ministry of Electronics and Information Technology

A. Information System as a Tool against Illicit Trade

Mapping the magnitude and dynamics of counterfeits/smuggled goods in the economy is a complex task. The technology can provide tools that can help manufacturers to remain one step ahead in combating counterfeiting and smuggling.

India is emerging as the global centre of technical innovation. The multifaceted talent that can be found in the country's IT sector is a source for people all over the world. It is necessary for India to make use of this ability in order to study and evaluate viable worldwide solutions to combat counterfeiting and smuggling through the use of information technology, as well as to put those solutions into effect in this country.

An information system can be used as an effective tool to counter the menace of counterfeiting by facilitating the counterfeit identification process and promoting an easy exchange of information on the subject.

Recommendation(s):

1. Cybersecurity Awareness Campaigns

The Ministry of Electronics and Information Technology can strengthen the awareness campaigns on cybersecurity. By educating consumers about the dangers of cyber threats, and ways to protect

ARTICLE



Strengthening the fight to curb illicit trade



ANIL RAJPUT

Chairman, FICCI CASCADE and
Member-Corporate Management
Committee & President,
Corporate Affairs, ITC Ltd

*Combating illicit trade and related crimes —
emerging as fallouts of ongoing conflicts across
the world — requires enhanced collaboration and
bold policy reforms*

Over the years, seizures of smuggled products in India have grown at a rapid pace. DRI's latest Smuggling in India report (2021-22) shows that 833 kg of smuggled gold worth ₹405 crore, 28,334 kg narcotic drugs and psychotropic substances along with smuggled cigarettes amounting to about ₹93 crore.

No nation can achieve its developmental goals without having a zero-tolerance policy against smuggling. Smuggling results in an annual drain of \$2.2 trillion globally.

In addition to a well-established enforcement machinery, widespread awareness and strong consumer action against such malpractices can help address problems efficiently.

FICCI CASCADE (Committee Against Smuggling and Counterfeiting Activities Destroying the Economy) took the

lead and launched 'Anti-Smuggling Day' on February 11 in 2022.

FICCI CASCADE also successfully runs a nation-wide campaign to address the challenges at the regional and national levels.

In CASCADE's recent engagement in Chennai, Tamil Nadu's Minister for Food and Civil Supplies R Sakkarapani emphasised on the State's stringent actions that have resulted in reduced smuggling of watches, gold, alcohol, and Indian currency. CASCADE's latest report 'Illicit Markets: A Threat to Our National Interests', estimated tax loss to the government due to illicit goods at ₹58,521 crore in 2019-20, with two highly regulated and taxed industries, tobacco products, and alcoholic beverages, accounting for nearly 49 per cent of the overall tax loss.

Youth Awareness

Over the past several years, CASCADE has been working closely with school and college children to create a youth movement through various programmes and competitions.

Over the years several CASCADE has sensitised youngsters in shunning fake products and saying no to smuggled goods. Adding thrust to its Anti-Smuggling Day programme, CASCADE has also invited students across India to

participate in a Digital Art Competition themed 'Stand Against Smuggling'.

Like any complex problem, there is no silver bullet to address the insidious threat of smuggling. CASCADE will continue to appeal at both the national and international platforms for the need to come together and recognise Anti-Smuggling Day as a globally important date and chart an effective course of action in tackling this socio-economic scourge.

Strengthening the fight to curb illicit trade

Anil Rajput

Over the years, seizures of smuggled products in India have grown at a rapid pace. DRI's latest Smuggling in India report (2021-22) shows that 833 kg of smuggled gold worth ₹405 crore, 28,334 kg narcotic drugs and psychotropic substances along with smuggled cigarettes amounting to about ₹93 crore.

No nation can achieve its developmental goals without having a zero-tolerance policy against smuggling. Smuggling results in an annual drain of \$2.2 trillion globally.

In addition to a well-established enforcement machinery, widespread

awareness and strong consumer action against such malpractices can help address problems efficiently.

FICCI CASCADE (Committee Against Smuggling and Counterfeiting Activities Destroying the Economy) took the lead and launched 'Anti-Smuggling Day' on February 11 in 2022.

FICCI CASCADE also successfully runs a nation-wide campaign to address the challenges at the regional and national levels.

In CASCADE's recent engagement in Chennai, Tamil Nadu's Minister for Food and Civil Supplies R Sakkarapani emphasised on the State's stringent actions that have resulted in reduced smuggling of watches, gold, alcohol, and

Indian currency. CASCADE's latest report 'Illicit Markets: A Threat to Our National Interests', estimated tax loss to the government due to illicit goods at ₹58,521 crore in 2019-20, with two highly regulated and taxed industries, tobacco products, and alcoholic beverages, accounting for nearly 49 per cent of the overall tax loss.

YOUTH AWARENESS

Over the past several years, CASCADE has been working closely with school and college children to create a youth movement through various programmes and competitions.

Over the years several CASCADE has sensitised youngsters in shunning fake products and saying no to smuggled

goods. Adding thrust to its Anti-Smuggling Day programme, CASCADE has also invited students across India to participate in a Digital Art Competition themed 'Stand Against Smuggling'.

Like any complex problem, there is no silver bullet to address the insidious threat of smuggling. CASCADE will continue to appeal at both the national and international platforms for the need to come together and recognise Anti-Smuggling Day as a globally important date and chart an effective course of action in tackling this socio-economic scourge.

The writer is Chairman, FICCI CASCADE. Views expressed are personal

eco **BEATING** THE **BLACK** economy

Consumer awareness on the ill-effects of counterfeit and smuggled goods is central to curbing the black economy; policies and enforcement alone can't move the needle



NAJIB SHAH

Former Chairman, Central Board of Indirect Taxes & Customs, and Think Tank Member FICCI- CASCADE

It is universally agreed that smuggling and counterfeiting are bad. They result in the evasion of laws, leading to loss of revenue, generation of unaccounted money used for nefarious purposes, and loss of legitimate jobs. Per a 2020 World Economic Forum report, illicit trade is estimated to result in a loss to the extent of \$2.2 trillion to the global economy—a humongous 3% of the global GDP.

India has not been spared from this menace. Its geographical location makes it vulnerable to the smuggling of drugs. India continues to be a major consumer of gold, and the insatiable demand for gold and the ingenious methods of concealment being adopted mean challenges for the enforcement agencies. Smuggling of small quantities of other sundry goods also takes place, ranging from household to electronic goods. There is also the problem of evasion of local taxes by the domestic industry. The enforcement agencies under GST have been regularly in the news for huge detections of cases—from the use of fake invoices to illegally discharge duty liability to outright removal of goods without documentation.

Counterfeiting also poses problems for the country. This involves the misuse of trademarks and logos—goods meant to

resemble the original with neither the safety standards nor guarantee of the original, and sold at lower prices. This is no better than the theft of intellectual property. In this case, too, there is a loss of revenue and employment. Genuine industry gets hurt in all these cases.

Professor Arun Kumar, a leading authority on the black economy, has estimated the size of India's black economy to be about 62% of GDP, generating (2016-17 prices) about `93 trillion of revenue. To put this in context, this is larger than the income generated by agriculture and industry put together and than the size of government spending (both the Centre and the states). Kumar estimates that, because of its size, the country's economy has been losing on an average 5% growth since the mid- 1970s. What this means is that India could have been the world's second-largest economy; per capita income would have been \$11,000 instead of \$1,500.

What are the reasons for tax evasion? Is it the tax and legal structure, the lack of simplicity of the laws and the consequential difficulty in complying with their requirements, the lure of easy money, inflation, a significant informal economy, social and educational levels of the population, and the lack of integrity-or a combination of all these factors? In India's case, it would indeed appear to be combination of all these factors.

Enforcement agencies are doing a splendid job of detection, but they will be hard-pressed to eradicate this danger. This will require the concerted effort of all the stakeholders-the policymakers, the enforcement agencies, the judiciary, and most importantly, the general population at large-the consumer.

It is in this context that FICCI's think-tank, Committee against Smuggling and Counterfeiting Activities Destroying the Economy (CASCADE), held its annual two-day conference, Movement against Smuggled and

Counterfeit trade (MASGRADE) in late September 2022. The theme of the conference, 'Unleashing the power of consumers in the fight against smuggling and counterfeiting', was a clear recognition of the reality that it is the consumer's demand that fuels supply-and where there is a gap between demand and supply, it is met by illicit supplies. The focus of all the sessions was on understanding and addressing the psyche which drives the consumer to satisfy their requirements through the purchase of illicit goods.

The conference highlighted the need to engage consumers, influence public opinion, and understand demand behaviour. It underscored the need to have in place measures for safeguarding consumers from spurious and fake foods-goods, which in the absence of any manufacturing standards, could pose health and safety issues. There was a recognition that India could not lose the revenue that illicit activities generate. Given the security challenges that the country faces, this is money that can be used for anti-national activities. The conference emphasised the need for urgent action against organised crime-a close consequence of illicit trade.

Most citizens would not like to break the law or be associated with anti-national activities. It is essential that we acknowledge this, hence the need for consumer awareness. Something as simple as insisting on a bill would sound a death knell for these illicit activities. These activities thrive on the consumer's desire to save money without thinking of their own safety, or worse, the nation's security. If we can ensure that we can jagao the grahak, empower them, and shake them up from their slumber into realising that they can be active partners in the fight against illicit trade and nation-building, then the war can be won.

It is not going to be easy. But conferences such as MASGRADE 2022 help in creating the enabling environment. This is a fight that the nation cannot afford to lose.

MEDIA COVERAGE





MEDIA COVERAGE

Pre- Event Coverage

FICCI CASCADE to organise 8th edition of 'MASCRADE' from September 22-23

During the course of the event, FICCI CASCADE & TARI will release a report titled 'Illicit Markets: A Threat to Our National Interests'

NEW DELHI: FICCI Committee Against Smuggling and Counterfeiting Destroying the Economy (CASCADE) is organising its flagship physical event '8th edition of MASCRADE (Movement Against Smuggling and Counterfeit Trade).

The two-day event is scheduled to be held on 22-23 September on the theme 'Unleashing the Power of Consumers in the Fight Against Smuggling and Counterfeiting'.

M Venkaiah Naidu, Former Vice President of India, will deliver the inaugural address.

Known to be a renowned international forum, MASCRADE this year will feature several senior functionaries from leading international

organisations, such as World Customs Organisation (WCO), INTERPOL, United Nations Office for Drugs and Crime (UNODC), World Intellectual Property Organisation (WIPO), Organisation for Economic Co-operation and Development (OECD), US Homeland Security, and Australian Border Force.

The event will be divided into multiple insightful plenaries in which distinguished Indian and international experts will discuss ways to empower consumers to lead the battle against the menace of smuggling and counterfeiting.

During the course of the event, FICCI CASCADE and Thought Arbitrage Research

Institute (TARI) will release a detailed report titled 'Illicit Markets: A Threat to Our National Interests', which examines the size and scale of illicit market in some of the key Indian industries and assesses its impact on individual industries, employment, government tax collection, and the overall economy.

Anil Rajput, Chairman, FICCI CASCADE said, "Due to Covid restrictions in place, we will be meeting in person after a gap of two years. We are looking forward to a highly interactive, insightful, and impactful event this year which will help us strengthen our ongoing battle against smuggling and counterfeiting. India is growing at a fast pace and has tremendous

potential to become a world leader in terms of innovation and economy. However, for that, all stakeholders, especially the consumers, will have to come together and take strong measures to beat the menace of illicit trade."

In the past, MASCRADE has laid strong focus on smuggling of goods in certain key sectors, economic impact of illicit trade, and how funds accumulated from smuggling are used by criminal syndicates to sponsor terror activities and social unrest. However, this is the first time that the event will have consumer at the centre, focusing on the many ways in which people can put an end to illicit trade.

'Experts to discuss ways to counter smuggling, counterfeiting': FICCI Committee Against Smuggling and Counterfeiting Destroying the Economy (CASCADE) is organising its flagship physical event '8th edition of MASCRADE' (Movement Against Smuggling and Counterfeit Trade). The two-day event is scheduled to be held on September 22-23 on the theme 'Unleashing the Power of Consumers in the Fight Against Smuggling and Counterfeiting'. The event will be divided into multiple insightful plenaries in which distinguished Indian and international experts will discuss ways to empower consumers to lead the battle against the menace of smuggling and counterfeiting.

Experts from India, overseas to discuss ways to counter smuggling, counterfeiting

By: Anshu Singh | 22/09/2022



Shashi Bhatnagar

PHOTO COURTESY OF 'Organiser Committee of MASCRADE 2022' On: 22 September 2022 (New Delhi)

4 likes

FICCI CASCADE Organiser Committee of MASCRADE 2022
The 8th edition of MASCRADE (Movement Against Smuggling and Counterfeit Trade) is scheduled to be held on 22-23 September 2022 on the theme 'Unleashing the Power of Consumers in the Fight Against Smuggling and Counterfeiting'. The event will be divided into multiple insightful plenaries in which distinguished Indian and international experts will discuss ways to empower consumers to lead the battle against the menace of smuggling and counterfeiting. India is growing at a fast pace and has tremendous potential to become a world leader in terms of innovation and economy. However, for that, all stakeholders, especially the consumers, will have to come together and take strong measures to beat the menace of illicit trade. #MASCRADE2022 #FICCI #TARI #WCO #INTERPOL #UNODC #WIPO #OECD #USHomelandSecurity #AustralianBorderForce

Experts from India, overseas to discuss ways to counter smuggling, counterfeiting



NEW DELHI: FICCI Committee Against Smuggling and Counterfeiting Destroying the Economy (CASCADE) is organising its flagship physical event '8th edition of MASCRADE (Movement Against Smuggling and Counterfeit Trade)'. The two-day event is scheduled to be held on 22-23 September 2022 on the theme 'Unleashing the Power of Consumers in the Fight Against Smuggling and Counterfeiting'. The event will be divided into multiple insightful plenaries in which distinguished Indian and international experts will discuss ways to empower consumers to lead the battle against the menace of smuggling and counterfeiting. India is growing at a fast pace and has tremendous potential to become a world leader in terms of innovation and economy. However, for that, all stakeholders, especially the consumers, will have to come together and take strong measures to beat the menace of illicit trade.

- New Delhi, 22nd Sept: FICCI Committee Against Smuggling and Counterfeiting Destroying the Economy (CASCADE) is organising its flagship physical event '8th edition of MASCRADE (Movement Against Smuggling and Counterfeit Trade)'. The two-day event is scheduled to be held on 22-23 September 2022 on the theme 'Unleashing the Power of Consumers in the Fight Against Smuggling and Counterfeiting'.
- M Venkaiah Naidu, former Vice President of India, will deliver the inaugural address.
- Known to be a renowned international forum, MASCRADE this year will feature several senior functionaries from leading international organisations, such as World Customs Organisation (WCO), INTERPOL, United Nations Office for Drugs and Crime (UNODC), World Intellectual Property Organisation (WIPO), Organisation for Economic Co-operation and Development (OECD), US Homeland Security, and Australian Border Force.

FICCI CASCADE to organise 8th edition of 'MASCRADE' from September 22-23

By: Anshu Singh | 22/09/2022

4 likes

FICCI CASCADE Organiser Committee of MASCRADE 2022
The 8th edition of MASCRADE (Movement Against Smuggling and Counterfeit Trade) is scheduled to be held on 22-23 September 2022 on the theme 'Unleashing the Power of Consumers in the Fight Against Smuggling and Counterfeiting'. The event will be divided into multiple insightful plenaries in which distinguished Indian and international experts will discuss ways to empower consumers to lead the battle against the menace of smuggling and counterfeiting. India is growing at a fast pace and has tremendous potential to become a world leader in terms of innovation and economy. However, for that, all stakeholders, especially the consumers, will have to come together and take strong measures to beat the menace of illicit trade. #MASCRADE2022 #FICCI #TARI #WCO #INTERPOL #UNODC #WIPO #OECD #USHomelandSecurity #AustralianBorderForce



SOCIAL MEDIA



A collection of dice with various social media icons on their faces, including YouTube, Instagram, Facebook, Twitter, and Snapchat. The dice are arranged in a cluster, with some showing multiple icons. The background is a dark blue gradient with a green geometric pattern on the left side.

SOCIAL MEDIA

Social Media

The Countdown has begun!

MASCRADE 2022
MOVEMENT AGAINST SMUGGLED & COUNTERFEIT TRADE

Unleashing the **Power of Consumers** in the fight against **Smuggling and Counterfeiting**

Let us unite to fight and defeat Illicit Trade

22nd-23rd September 2022

Awareness Programme on Preventive Strategies to Combat Counterfeiting and Smuggling

Shri Gopal Meena, IAS
Commissioner, Hyderabad, Govt of Orisa

5th April 2022
RIS & Colaba, Mumbai, India

Theme Address by:

Mr. Anil Rajput,
Chairman, FICCI CASCADE

22ND
SEPTEMBER
2022

MASCRADE 2022
MOVEMENT AGAINST SMUGGLED & COUNTERFEIT TRADE

MASCRADE 2022
MOVEMENT AGAINST SMUGGLED & COUNTERFEIT TRADE

Keynote Address by

MR. RICARDO TREVIÑO CHAPA,
Deputy Secretary General,
World Customs Organization

22ND & 23RD SEPTEMBER 2022

VENUE: SHANGRI-LA-EROS, NEW DELHI

MASCRADE 2022
MOVEMENT AGAINST SMUGGLED & COUNTERFEIT TRADE

Shri M. Venkalah Naidu
Hon'ble Former Vice President of India

“Recently, Hon'ble Prime Minister, Shri Narendra Modi gave a three line motto: Reform, Perform and Transform. A transformational system, society & governance, ultimately for the happiness of the people.”





8TH edition
MASCRADE 2022
MOVEMENT AGAINST SMUGGLED & COUNTERFEIT TRADE

THANK YOU PARTNERS

TITLE PARTNER



PLATINUM PARTNER



SILVER PARTNER



SESSION PARTNERS



Protecting people.
Securing brand trust.





ITC'S HOTEL GROUP



CLUB ITC

ENRICHING REWARDING EXPERIENCES



OVER 115 HOTELS | 80+ DESTINATIONS | 10,000+ ROOMS
www.itchotels.com

FIGHT COUNTERFEITING

Authenticate, identify and
protect with security labels,
and product & packaging
security solutions



Enabling trust







See
you
soon...

at

9th edition

 **MASCRADA 2023**
Movement Against Smuggled & Counterfeit Trade

28-29 SEPTEMBER 2023

Key Contacts

Kashifa Hasan
Deputy Director
kashifa.hasan@ficci.com

Shikha Bhatt
Assistant Director
shikha.bhatt@ficci.com

+91-11-23487528

cascade@ficci.com

www.ficcicascade.in

