

India

Overall score:

61

Summary of Findings

1. Industry participation in policy development

There were a high number of letters, proposals and appeals that were made to the central and state governments by tobacco industry bodies arguing for a reconsideration on the ban of electronic nicotine delivery system (ENDS) products. However, the government did not accept any of those recommendations.

2. Industry CSR activities

A number of government and tobacco industry partnerships for development activities were reported, especially along the lines of urban development, innovation in sustainable agriculture, health and education. There were also instances of various tobacco industries engaging in CSR that directly fit into the welfare policies of the government.

3. Benefits to the industry

The tobacco industry continues to receive a number of benefits and incentives from the government, such as: (a) ongoing exemptions on cess (on top of Goods and Services Tax [GST]) on bidis, and exemption from GST for smaller manufacturers, (b) support from the Tobacco Board, which is part of the Ministry of Commerce and Industry, and the Central Tobacco Research Institute (CTRI)—which comes under the Indian Council of Agricultural Research (ICAR)—in technical improvements in tobacco agricultural production and promotion of efficiency, and (c) export promotion from the Government to tobacco manufacturers to help boost their marketability in the international market.

4. Unnecessary interaction

Non-CSR interactions, partnerships and collaborations between the tobacco industry and the government exist: (a) the tobacco industry is closely involved with the state's anti-smuggling imperatives and implementation drives, (b) the ways in which the tobacco industry uses its subsidiary wings to gain legitimacy for seeking the support from the government, specifically in agriculture and trade policy, and (c) nationalized banks and insurance companies' stakes in the tobacco industry are reported.

5. Transparency

There is no publicly available record of disclosure of meetings/interactions between the government and the tobacco industry, nor a policy, if such disclosures were made. There is no national law in India that demands and requires that the government ought to disclose meetings or its interactions with the tobacco industry.

6. Conflict of interest

The state engages with the tobacco industry in anti-smuggling activity through an industry trade body. Aspects of the state—specifically, a couple of nationalized insurance companies—have a significant number of shares in a major tobacco company. Moreover, a member of the tobacco industry also sits on the board of the Tobacco Board, which is part of the Ministry of Commerce and Industry.

7. Preventive measures

In terms of preventing the tobacco industry from interfering with policy, it is noted that while there is yet to be a policy in line with WHO Framework Convention on Tobacco Control (FCTC) Article 5.3 at the national-level there, several state-level governments and district administrations have adopted such a policy aiming to prevent tobacco industry interference.



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Recommendations

A nation-wide policy in line with FCTC Article 5.3 is needed to prevent tobacco industry interference in public policy and policy implementation concerning tobacco control.