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RGICS ISSUE BRIEF

(June, 2018)

Alcohol Prohibition in India

RGICS Issue Brief

Alcohol Prohibition In India

2

PART-1 BACKGROUND

It has been two years since the prohibition on alcohol was imposed in Bihar¹ (the ban was one of the key poll promises made to women voters by Mr. Nitish Kumar, Chief Minister of Bihar). Bihar's experiment with prohibition has received positive coverage however; data/incidents compiled for these two years reveal an altogether different story.

1. Two years after implementation of prohibition laws in Bihar, as per the recent data put forward by the jail officials under the Inspectorate of Prisons of Bihar's Home department, the marginalized communities in the state seemed to have faced the brunt of government crackdown. The share of SC/ST/OBC inmates² for violation of prohibition laws is far greater than their share of total population in the state.
2. As per an analysis by IndiaSpend of the Bihar Police crime data, cognizable crime—which the police can investigate without a magistrate's order—increased by 13% between April and October 2016, from 14,279 in April to 16,153 in October 2017 (although the numbers did improve initially—thirty days after the ban, the crime was down 27% according to NCRB crime data from April 2016 and April 2015). In fact, every major crime - murder, rape, kidnapping, rioting etc increased in the months following the liquor ban. This clearly implies that prohibition can lead to increase in crime rate as in the case of Bihar.
3. Following prohibition, reports of mishaps and deaths caused by imbibing spurious spirits (illegally) have also been rampant even though between April 1, 2016 to February 28, 2018 the police has already conducted 4, 29,536 raids and lodged 56,360 cases against persons violating anti-liquor laws.

Bihar is the fourth state after Gujarat, Nagaland and Mizoram to have imposed ban on liquor. The above data indicates that in the state of Bihar, banning alcohol has not been successful and in fact has resulted to be counterproductive in State; not only crime rates went up, the marginalized communities in the state seemed to have faced the brunt of government crackdown and liquor bans have only led to a spurt in the consumption of illicit brews. This brief is therefore an attempt to analyze the impact of alcohol prohibition on these 4 States and if it can work in India.

¹ The Bihar Excise (Amendment) Act, 2016 is an Act which prohibits the manufacturing, bottling, distribution, transportation, accumulation, possession, purchase, sale or consumption of any type of liquor, intoxicating substance including bhang and medicines with alcoholic substance. The Act also prescribes stringent punishment including capital punishment to those manufacturing or trading illicit liquor.

² Scheduled Castes accounted for 27.1 per cent of arrests while their share in population is just 16 per cent. Scheduled Tribes make up 6.8 per cent of those arrested but form only 1.3 per cent of the population. And the OBC share is 34.4 per cent of the arrests, and 25 per cent of Bihar's population

RGICS Issue Brief

Alcohol Prohibition In India



3

Prohibition of Alcohol in India

India one of the fastest growing alcohol markets in the world with a liquor industry worth about Rs 1.6 trillion with huge state revenues, in some states around 20% of the revenue earned through liquor. Going by the statistics in the WHO data, 30% of the population in India consumes alcohol; out of which 4-13% are daily consumers while up to 50% indulge in hazardous drinking. According to the OECD report of 2015 alcoholism in India grew by 55% between 1992 and 2012. The 68th report of the National Sample Survey Office (NSSO) on Household Consumption of Various Goods and Services in India further suggested that, in 2011-12 the per capita alcohol consumption in rural India increased by nearly 28%, while that of urban India rose by nearly 14%.

India, post its independence, left it to the states to formulate their own policies on alcohol consumption, its production and sale (Prabhu 2010). In fact, the Constitution of India through the Article 47 of the Directive Principles of State Policy also lays down that "the state shall endeavor to bring about prohibition of the use, except for medicinal purposes, of intoxicating drinks and drugs which are injurious to health". Looking at the emerging trends on alcohol production and consumption-its increasing availability, greater consumption, harmful and hazardous use that has brought numerous problems affecting both the individual and society, some states have used this directive at various times to ban alcohol. While Gujarat (& earlier Bombay state) introduced prohibition since inception, Haryana, Andhra Pradesh, Kerala, Andhra Pradesh and Tamil Nadu also have had prohibition at various times. Bihar has banned alcohol since 2016 and Mizoram and Nagaland have prohibition driven by the church.³

However, historical experience have shown that liquor bans have proved to be ineffective and even counter-productive, and has in return given rise to crime and deaths by consumers drinking illicit liquor. For instance, USA banned alcohol between 1920-1933 which not only failed to control alcohol over-consumption in the United States and instead led to even more problems such as organized crime, increased alcohol consumption, overcrowded prison systems, and growth of the Mafia in the country. Similarly in India, over a thousand people died due to illegal alcohol in West Bengal (156 people in 2011), Gujarat (136 people in 2009), Karnataka and Tamil Nadu (180 dead in 2008), Odisha (200 dead in 1992) and the worst in Karnataka in 1981, when over 300 people died due to methyl alcohol poisoning.⁴ In fact, more than 20 people have lost their lives since the liquor ban in Bihar (2016).

Reasons for Total Prohibition

Some of the arguments in favor of prohibition are as follows:

³ <https://www.thinkpragati.com/opinion/1432/prohibition-doesnt-work-tax-alcohol-instead/>

⁴ <https://thewire.in/law/prohibition-has-never-worked-and-never-will>

RGICS Issue Brief

Alcohol Prohibition In India

4

- I. **Growing percentage of addiction among youth:** As per data by the NIAAA, about 35% of teenagers across the globe have had at least 1 drink by the age of 15, whereas, about 65% of teens have had at least 1 drink by the age of 18. Even though 61% of the 190 countries, the permissible age for consumption of alcohol is 18 or 19 years old while in India it is between 18-25 (States like Karnataka ,Jammu & Kashmir, Himachal Pradesh, Goa, Sikkim, Rajasthan and Puducherry have 18 years as the drinking age other states have the permissible age for drinking between 21-25) .⁵
- II. **Adverse impact on health:** Alcohol consumption can have long term impacts on an individual's health. Worldwide, 3.3 million deaths every year result from harmful use of alcohol; this represents 5.9 % of all deaths while harmful use of alcohol is a causal factor in more than 200 diseases and injury conditions. According to an India Spend analysis of 2013 National Crime Records Bureau (NCRB) data, in India 15 people die every day or one every 96 minutes from the effects of drinking alcohol.⁶
- III. **Increase in the Crime Rate:** Excessive use of alcohol can also lead to rise in cases starting from robbery to road accidents to domestic violence and even homicide., According to the Ministry of Road Transport & Highways (MORTH), there were 5.01 lakh road accidents in 2015, but only 16,298 took place due to consumption of alcohol and prescription drugs (containing sedatives) put together. In percentage terms, the share of both intoxicants worked out to just 3.3. The data further reveal that 6,755 people died and 18,813 were injured in drink-driving accidents in 2015⁷.

Some religions forbid the consumption of alcohol: Many religious communities forbid alcoholic consumption while in some it could be used for ritualistic purposes. For instance religions such as Jainism, Buddhism, Islam, Mormonism, and Pentecostal Christians forbid consumption of alcohol.

States with Prohibition of Alcohol in India

GUJARAT

Gujarat has a sumptuary law in force that proscribes the manufacture, storage, sale and consumption of alcoholic beverages which has been in force since 1 May 1960 when Bombay State dissolved into Maharashtra and Gujarat. The Act is called the, "The Bombay Prohibition Act, 1949". Even though the Act is still in force in both states, the licensing regime in Maharashtra is quite liberal with granting licenses to vendors and traders. In Gujarat, only licensed five star hotels are allowed to serve alcohol. Despite the ban on manufacturing, sale, consumption and storage of alcohol in the state, the government allows temporary and long-term permits to foreigners and NRIs to purchase liquor from designated hotels and other places that just need to have a 1-month permit along with passport and proof of the address where they are staying while in Gujarat.

⁵ <http://www.dnaindia.com/india/report-is-the-future-sloshed-2291610>

⁶ The data for deaths due to alcohol influence nationally as well as state-wise has been stopped since 2014

⁷ <http://www.indiaspend.com/cover-story/19-indians-die-daily-in-drink-driving-mishaps-heres-how-that-can-change-25945>

RGICS Issue Brief

Alcohol Prohibition In India

5

“Hypocrisy apart, the availability of alcohol not just in Ahmedabad, but throughout the state, in spite of prohibition, bespeaks a degree of organization among those who are involved in the smuggling in, distribution, storage and dissemination of any brand. You just have to name it and pay an inflated price for what you wish to consume. You will get liquor of any brand, at any place and at any time. All you need is a contact,” says Rahul Sharma, who took voluntary retirement from the Indian Police Service in 2015 before taking to practicing law.⁸

NAGLAND AND MIZORAM

Liquor in Northeast was banned first in Nagaland through the Nagaland Total Liquor Prohibition Act, 1989 following the demand of the Church bodies to declare Nagaland a *dry state*. Even though the Act prohibits the sale of liquor and issuance of license, it does not stop individual from consuming liquor. The continuous flow of India-made foreign liquor (IMFL) has increased manifold through liquor barons and bootleggers. As per media reports, liquor from Assam is smuggled into Nagaland and people double or triple the original price in Assam to get liquor from the black market. This especially so during the festive season but is also the case throughout the year.⁹

Mizoram, on the other hand amended the Mizoram Liquor Total Prohibition (MLTP) Act 1995 was amended in the year 2007 which banned the sale and consumption of alcohol in Mizoram to now allow wine to be made from guavas and grapes, but with restrictions on the alcohol content and the volume possessed. Mizoram repealed prohibition on 10 July 2014, after a period of 17 years since it had been imposed. It was observed that prohibition increased the sale of spurious liquor and hencelifting of the prohibition would prevent people from consuming spurious liquor which could even lead to death.

KERALA

In the year 2014, the State announced the implementation of prohibition on alcohol in a phased manner. The liquor bars in Kerala had to renew licenses every year which resulted in the closure of 418 bars. However, sale of alcohol was allowed to be continued in 5-star hotels. Later the Congress government in Kerala introduced a liquor policy in August, 2014 advocating for total prohibition which lead to a conflict between the government and the powerful bar owners lobby. This conflict led to a major scandal in which several ministers were allegedly bribed in order to procure licenses for opening liquor shops. Later the top court in December 2015, by its judgment in Kerala Bar Hotels Association vs. State of Kerala, delivered on December 29, 2015 upheld the ban on consumption of liquor in public places in Kerala except in five star hotels that resulted in more than 700 bars closing down in the wake of the policy. Later in 2016 when the LDF formed the government, it allowed reopening of liquor bars as part of its phased-prohibition policy.

⁸ <https://www.thequint.com/news/india/liquor-ban-gujarat-farce-illicit-liquor-bjp>

⁹ <http://www.newindianexpress.com/nation/2016/dec/03/liquor-flows-free-in-dry-state-nagaland-1545292.html>

RGICS Issue Brief

Alcohol Prohibition In India



Apart from these States, Tamil Nadu (1952), Andhra Pradesh (1958), Manipur (1991), Lakshadweep and Haryana (1996) have tried partial or complete ban on liquor only to renew it in later years due to increased cases of widespread smuggling and sale of illicit liquor in these states.

RGICS Issue Brief

Alcohol Prohibition In India



PART II. KEY ISSUES

Adverse impact on the marginalized/poor sections of the society: Major chunk of the population who consume alcohol on a daily basis often belong to a certain section of the society-the marginalized and the poor. Hence liquor prohibition tends to have a major impact on their lives economically, socially and physically. For instance, in case of Bihar as the recent media reports suggest that two years after implementation of prohibition laws in Bihar, the marginalized communities in the state seemed to have faced the brunt of government crackdown; the share of SC/ST/OBC inmates¹⁰ for violation of prohibition laws is far greater than their share of total population in the state. Similarly, in incidents where people have died after consuming illegal and cheap alcohol, it is always the poor, who are hit hard in the hooch tragedy. In case for women too, a large section of women that face domestic violence belong to lower socio-economic backgrounds.

Blanket provision like prohibition will not help decreasing violence against women: According to National Family Health Survey (2005-06), Gujarat stood at the top among the major states with 74% men of the opinion that wife-beating is justified while the corresponding numbers for Bihar and UP were 51% and 38%, respectively with 33% men in Bihar and 25% in UP report taking alcohol while the number for Gujarat is only 15%.¹¹ Same results emerged in the NHFS-4 where most married women justified the beating by their husband as some sort of natural consequence even though 75% of the victims blamed the husband's drinking problems.

Increase in crime due to liquor ban: India's unemployment rate is currently at 9.2 percent and majority of those are employed are in low-paying jobs. Prohibition of alcohol means an adverse effect on breweries, distilleries and hospitality industries leaving most of the people unemployed. The unemployed tend to resort to crimes like kidnapping, stealing etc in order to make quick money. ¹² For instance, in Mizoram, the ban directly hit employees in breweries and vineyards as well as grape farmers as grape farming is very prevalent in the hilly regions of the Northeast India and the state produced around 20,800 tons of grapes in 2012-13. Even in a state like Kerala, the effect on employment has been severe since total prohibition by 2024 could have resulted in 100000 people turning jobless apart from the overall economic situation in Kerala and increased use of drugs.¹³

¹⁰ Scheduled Castes accounted for 27.1 per cent of arrests while their share in population is just 16 per cent. Scheduled Tribes make up 6.8 per cent of those arrested but form only 1.3 per cent of the population. And the OBC share is 34.4 per cent of the arrests, and 25 per cent of Bihar's population

¹¹ <https://blogs.economicstimes.indiatimes.com/et-commentary/blanket-alcohol-ban-in-bihar-wont-stop-violence-against-women/>

¹² Studies suggest that employment rate a direct impact on the crime rate. For instance crime rate went down in many parts of India as more jobs were created after the economic liberalization of 1991.

¹³ According to the Alcohol and Drug Information Centre of India, 69% of crimes, 40% of road accidents and 80% of divorce and domestic violence cases in Kerala are linked to alcohol and substance abuse.

RGICS Issue Brief

Alcohol Prohibition In India

8

1. **Crime rate in Kerala:** As against 974 cases registered in Kerala in 2013, the State police registered 1,836 drug cases in the first six months of 2016 after the introduction of partial liquor ban.
2. **Crime rate in Bihar:** Nine months into the ban, an *IndiaSpend* analysis of Bihar Police crime data, highlighted that cognizable crime which the police can investigate without a magistrate's order rose by 13% while around 42,000 people imprisoned simply for drinking alcohol in just one year.
3. **Crime in Gujarat:** There have been more than four amendments to the law since 2003 with stringent rules and penalties, in spite of that there are more than 1,58,727 criminal cases left untouched in the Gujarat High Court under the Prohibition Act, hence are pending.

Economic Implications: Banning liquor has cost India over Rs 65,000 crores, impacted several some of the most profitable industries of India and further weakened states revenues that have a negative impact on deficits and borrowing costs. Alcohol industry is one of the biggest industries in India and it is believed to generate at least 25% revenues to the states through direct taxation and through the tourism, indirectly. So while the ban could result in a reduction in what is known as “binge drinking,” the fact remains that central and state revenues could suffer deficits. Hence as an economy which is now equally dependent on foreign investment, it could trigger off a negative impact. **Hence the reduction of the 25% of the revenue could hit the economy badly, estimating an estimated toll of Rs 65,000 crore in revenue foregone by state governments and the hospitality industry.**¹⁴ Apart from Gujarat, Bihar, Nagaland, Mizoram and Manipur, states like Tamil Nadu, Punjab and Haryana, Maharashtra, UP, Andhra Pradesh, Telangana and Rajasthan are the top earners due to increased consumption and better income for the states.



¹⁴ <https://economictimes.indiatimes.com/industry/cons-products/liquor/liquor-ban-impact-estimated-at-rs-65k-crore-in-revenue-foregone-by-states-hospitality-industry/articleshow/57980528.cms>

RGICS Issue Brief

Alcohol Prohibition In India

Source: <https://www.indiatoday.in/india/story/booze-revenue-alcohol-economy-prohibition-tamil-nadu-bihar-supreme-court-345588-2016-10-08>

- **Impact of total liquor ban on Gujarat’s economy:** The following table highlights the State Excise Revenue in Gujarat as compared to other states:

States	Karnataka	Tamil Nadu	Gujarat	Andhra Pradesh	Maharashtra	Punjab	Kerala
2003-04	2346(54.24)	2273(63.55)	47(52.42)	1920(78.07)	2300(100.03)	1500(25.04)	687(32.42)
2004-05	2805(54.92)	2549(53.29)	47(53.29)	2092(78.97)	2218(101.62)	1486(25.38)	746(32.7)
2005-06	3396(55.59)	3176(54.14)	48(54.14)	2684(79.85)	2823(103.21)	1568(25.72)	841(32.98)
2006-07	4495(56.25)	3986(54.97)	41(54.97)	3436(80.71)	3300(104.8)	1367(26.05)	953(33.26)
2007-08	4766(56.9)	4764(55.8)	47(55.8)	4040(81.55)	3963(106.38)	1861(26.39)	1169(33.53)
2008-09	5749(57.55)	5755(56.62)	48(56.62)	5752(82.37)	4433(107.97)	1809(26.72)	1397(33.8)
2009-10	6946(58.18)	6740(57.43)	65(57.43)	5848(83.17)	5056(109.55)	2100(27.04)	1514(34.06)
2010-11	8284(58.8)	8115(58.23)	62(58.23)	8264(83.96)	5961(111.11)	2373(27.36)	1699(34.31)
2011-12	9775(59.41)	9975(59.02)	72(59.02)	9612(84.73)	8605(112.66)	2754(27.67)	1883(34.56)
2012-13	11300(60.02)	12473(59.8)	80(59.8)	10500(85.49)	9550(114.18)	3800(27.98)	2376(34.8)

Excise Revenue figures are in Rs crores and from the RBI annual reports. Year-wise Population estimates, in millions, are shown in brackets.

Source: https://www.academia.edu/9912636/EFFECTS_OF_TOTAL_LIQUOR_BAN_ON_GUJARAT_S_ECONOMY

According to an estimate, Gujarat is losing Rs10, 000 crore in excise duty annually because of prohibition. In fact, the outdated law also has a negative impact on Gujarat's tourism sector. However, the recent efforts of the state in promoting as tourist destination since 2010, has improved its business.

- **Impact of total liquor ban on Kerala’s economy:** In Kerala, the liquor industry contributes to about around 22% of the total government revenue which is about Rs 8,000 crore. In 2014, post the implementation of the prohibition, Kerala faced an estimated loss of more than Rs 7,000 crore annually.¹⁵ The tourism sector also suffered a major loss; as per the Kerala tourism statistics, the state decelerated to 6% in 2015 from 7.6% in 2014 and 18.9% in 2010. Domestic tourist arrivals also dropped to 6.6% in 2015 from 8.6% in 2010.¹⁶
- **Impact of total liquor ban on Bihar’s economy:** Bihar's impoverished economy lost about 800 million (around Rs5000 crores) in annual taxes and revenues after the ban. At least 71,000 people have since been imprisoned for alcohol consumption or possession, some for up to five-years.¹⁷ There is also

¹⁵The State was expected to generate Rs 3,208 crore in 2014-15, however, its earnings were restricted to Rs 1,977 crore.

¹⁶ <https://www.thehindubusinessline.com/news/national/kerala-liquor-policy-dampens-tourism-industry/article9168609.ece>

¹⁷ <https://www.firstpost.com/india/watch-more-than-70000-people-have-been-arrested-in-bihar-since-the-alcohol-prohibition-law-came-into-effect-4171733.html>

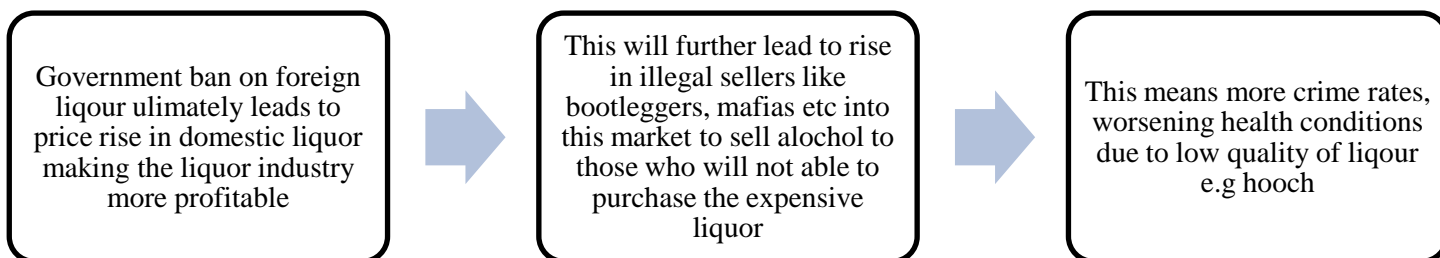
RGICS Issue Brief

Alcohol Prohibition In India

10

an apprehension of huge decline of tourists particularly foreigners following the implementation of total prohibition in the state.

Emerging Black Markets: Restrictive government policies that ban foreign liquor out of the country and limit liquor trade across states lead to high domestic liquor price for Indian consumers. In fact, according to a WHO 2014 report on alcohol and health, 50% of the alcohol consumed in India is unrecorded and is part of the non-tax paid, non-commercial and counterfeit activity. In such a case, measures such as prohibition will ultimately lead to excessive restrictions creating risks to consumers, constraining commercial freedoms and exacerbating black market which often results in cheap illegal liquor available in these banned locations with sometimes deadly consequences. Between 2012 and 2014, close to 3000 Indians lost their lives because of consumption of spurious liquor. In 2014 itself, close to 1,700 people lost their lives after consuming spurious liquor which is often mixed with pesticides and high amount of ethanol to increase potency across India, according to the government.¹⁸ Therefore it is safe to say that how without government regulations and inspections alcohol prohibition can possibly lead to serious health and safety risk to consumers.



- **Rise of Black Market in Gujarat:** Presently, Gujarat has an illegal liquor trade worth Rs 25,000 crore. Between 1999 and 2009, approximately 80,000 prohibition cases were registered of which only 9% were convicted. Despite the prohibition, since 2010, there has been a 230% rise in seizures in five years. In 2010, the department seized 30.56 lakh IMFL bottles. In 2015, it rose to 70.29 lakh bottles. Later between February 2015-march 2016, the state government itself has allowed around 16 new permits (now 58) citing tourism promotion helping them earn a revenue of Rs 32.5 crore in excise duty in 2015-16 and Rs 38.9 crore in 2016-17. As a result every year, more than 30,000 men between 18 and 35 years old die because of liquor in Gujarat. Also there are instances where people from Gujarat, simply travel to neighboring Daman. As a result, between 1989 and 1990 around 149 people were killed in Vadodara and Junagadh, in 2009 a total of 156 people died due to similar reasons in Ahmedabad. In 2016, as per media reports, due to consumption of locally made alcohol, 21 migrant textile workers were killed in villages of Surat district.

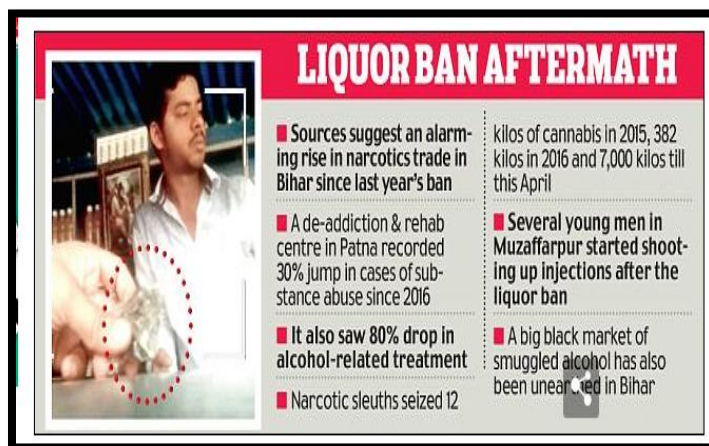
¹⁸ <https://qz.com/660096/tipsy-today-sober-tomorrow-india-swaps-worse-than-a-drunkard-over-prohibition/>

RGICS Issue Brief

Alcohol Prohibition In India

11

- **Rise of Black Market in Bihar:** There has been a 30 per cent rise in substance abuse since 2016 in Bihar. Recently, around 300 cartons of liquor, worth about Rs 40 lakh, were been seized in the state which indicates that liquor is entering in the markets. Further data from the Narcotics Control Bureau suggests that there has been a tremendous rise in drugs seized by the authorities in Bihar, indicating a shift from alcohol to substance abuse. The stats register a 1000 per cent rise in the seizures of ganja, from 14 kg in 2015 to nearly 10,800 kg in 2016. Hashish recovery has increased to 115 kg in 2016. Seizure of other drugs like opium has also rose from 1.7 kg in 2015, rising to 14 kg in 2016.¹⁹ Many people have lost their lives after consuming spurious liquor in the state (the exact number is however, unknown).



Source: <http://www.dailymail.co.uk/indiahome/indianews/article-4564176/Bihar-s-booze-ban-fails-substance-abuse-rises-30.html>

Prohibition has not led to decrease in road accidents: An analysis of the data on road accidents for 2011 done by India Spend, shows that 77% of the accidents happened because of drivers' faults while only 6.4% of them were caused by drunk driving. According to the 2015 annual report on road accidents by the Ministry of Road Transport and Highways (MoRTH), the share of accidents caused due to the consumption of alcohol/drugs was 3.3% of all road accidents (16,298 out of 5,01,423 accidents) and 4.6% of fatalities (6,755 out of 1,46,133 deaths). This means that over 96% of road accidents were caused not by drunk drivers but by sober people²⁰. A year later the numbers marked an increase at 3.7% under the Intake of alcohol/drugs by drivers, which translate into 14,894 road accidents and 6,131 fatalities (5.1 per cent).

Prohibiting an individual from alcohol is in violation of his/her right to privacy: As rightly pointed out by former judge of the Supreme Court, Justice Markandey Katju that what one eats and drinks is part of one's right to privacy, that has been previously held as a fundamental right by the Supreme Court in R. Rajagopal

¹⁹ <http://www.thecitizen.in/index.php/en/newsdetail/index/8/13488/liquor-ban-brings-drugs-into-bihar>

²⁰ <https://thewire.in/law/supreme-court-highway-liquor-ban-road-accidents>

RGICS Issue Brief

Alcohol Prohibition In India



vs. State of Tamilnadu, AIR 1995 S.C. 264²¹. He asserts that drinking in moderation even at a public place, but without disturbing public order, is one's fundamental right, being part of one's right to privacy that was also reflected in previous judgments in states like Kerala (2015)²² and Bihar (2016)²³, where the government was keen on complete prohibition of alcohol. Even though previous judgments on the issue have upheld restrictions or a complete ban on the sale and consumption of liquor, based on the Directive Principle of State Policy Article 47 of the Constitution (DPSP is not enforceable in a court of law) that demands the State to regulate drinking, and educate people about the dangers of drinking, but it does not order the State to actually prohibit drinking. Therefore it is also essential for the courts to reconsider a new interpretation of the Article.

²¹ In paragraph 26 of that decision the Court observed: "The right to privacy is implicit in the right to life and liberty guaranteed to the citizens of this country by Article 21. It is a "right to be let alone". A citizen has a right to safeguard the privacy of his own, his family, marriage, procreation, motherhood, child-bearing and education among other matters."

²² In the judgment of in Kerala Bar Hotels Association vs. State of Kerala, delivered on December 29, 2015, a two-Judge bench of the Supreme Court upheld the ban on consumption of liquor in public places in Kerala except in five star Hotels .

²³ In the 2016 case, Justice Navaniti Prasad Singh of the Patna High Court wrote: "Similarly, with expanding interpretation of the right to privacy, as contained in Article 21 of the Constitution, a citizen has a right to choose how he lives, so long as he is not a nuisance to the society. The state cannot dictate what he will eat and what he will drink."

RGICS Issue Brief

Alcohol Prohibition In India

13

PART III- WAY FORWARD

In the past few years, India has witnessed more and more states (Maharashtra, Rajasthan, J&K and UP) are embracing prohibition of alcohol as a part of their election manifesto, promising to check crimes against women, decreasing road accidents caused by drunk driving, and corruption. From the above analysis, it is quite evident that a total eradication on the sale of alcohol is not the most efficient solution and will not fully attain its aim of reducing alcohol consumption. By merely prohibiting alcohol, it not only drives the market underground, but also exposes the population to all the dangers associated with an illicit, unregulated market and often leads to the consumption of more potent substances.

1. First, since alcohol policy is a state subject, India needs to have a national policy/regulatory frame work. Consequently, systemic loopholes that needs to be addressed that could delay implementation. For example, in Maharashtra the minimum age of drinking is 25 where as in Goa it is 18, thus keeping alcohol accessible. Hence a national regulatory framework would imply a balanced drinking age throughout the country leaving no room for confusion.
2. Secondly, the government must draft suitable guidelines and treatment protocols and strengthen the scale up for screening of alcohol consumption in order to promote binge drinking and habitual drinkers as a part of the alcohol treatment programs.
3. A more viable method of reducing alcohol intake needs to incorporate regulation through taxation coupled with the policies of alcohol-education.

Therefore there is a clear need for a nuanced approach integrating both the regulation of alcohol production and sale on one hand while rigorously enforcing public health regulations on the other. The goal of sustainable and effective alcohol policy can only be achieved by coordinated action by multiple stakeholders as well as key role of the government, both at the central and state level to work for a comprehensive legislature to promote safe drinking.²⁴

²⁴ <http://www.thehindu.com/opinion/lead/Alcohol-politics-policies-and-public-health/article16889939.ece>

RGICS Issue Brief

Alcohol Prohibition In India

14

PART IV. BACKGROUND INFORMATION/REFERENCE DOCUMENTS

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