

**SUPREME
COURT
VOLUME-1
ANNEXURES**

**SLP (C) No. 16308/2007-Ankur Gutkha Vs Indian
Asthama Care Society & Ors-regarding.**

VOLUME INDEX(1-5)
VOLUME-1-PAGE 1 TO 168 (O/C OF COVERING LETTER)
VOLUME-2-PAGE 169 TO 454
VOLUME-3-PAGE 455 TO 714
VOLUME-4-PAGE 715 TO 998
VOLUME-5-PAGE 999 TO 11320

SUPREME COURT

**SLP (C) No. 16308/2007-Ankur Gutkha Vs Indian
Asthama Care Society & Ors-regarding.**

F.No.NIHFW/SLP(C)/16308/2007/2010
11th February, 2011.

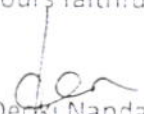
Mr. R.S. Negi
Under Secretary
Min. Of Health & Family Welfare
Room No. 425-C
Nirman Bhavan
New Delhi – 110011.

Subject: SLP(C) No. 16308/2007 – Ankur Gutkha V. Indian Asthama Care Society &
Others – regarding.

Sir,

With reference to the letter No. 16017/15/2011-PH-I dated 23rd Dec. 2010, please
find enclosed herewith the final report with index and list of members.

Yours faithfully,


(Deoki Nandan)

Encl: as above.

Copy to: Mr. Ranjit Singh, Legal Consultant, NIHFW, Nirman Bhavan, New Delhi



National Institute of Health and Family Welfare, Munirka, New Delhi.

Evidence assessment: Harmful effects of consumption of gutkha, tobacco, pan masala and similar articles manufactured in India

BACKGROUND INFORMATION

The Central Government had been directed 'to undertake a comprehensive analysis and study of the contents of gutkha, tobacco, pan masala and similar articles manufactured in the country, and harmful effects of consumption of such articles'. The National Institute of Health and Family Welfare (NIHFW) had been asked to compile the national and International studies already done on this issue.

RESEARCH QUESTION

In view of the above, the following questions were drafted for assessment:

- 1) What are the contents of gutkha, tobacco, pan masala and other similar articles manufactured in the country?
- 2) What are their harmful effects on humans?

METHODOLOGY

The evidence assessment was carried out in two parts:

- a) Formation of a Committee of technical experts for helping with scientific literature on the topic
- b) Analysis of contents of gutkha, tobacco, pan masala and other similar articles with the help of scientific literature provided by technical experts
- c) Review of research studies on harmful effects of these articles which were identified following a comprehensive literature search

a) Committee of Technical Experts

A committee of technical experts was constituted to provide guidance on technical issues and help in collecting relevant scientific literature. The members of this committee are mentioned in Annexure A.



National Institute of Health and Family Welfare, Munirka, New Delhi.

● **b) Scientific literature on contents of articles**

The scientific literature on the contents of gutkha, tobacco, pan masala and other similar articles manufactured in the country was provided by the above mentioned committee of technical experts. In addition to the scientific literature, these experts also provided letters from Directors of various Regional Cancer Centers of the country and these have been appended at the end of this report *Annexure B*.

c) Review of research studies on harmful effects

Literature search

To identify relevant published evidence for the harmful effects of these articles, a comprehensive literature search was conducted in PubMed – a highly respected electronic database of peer-reviewed journals and online books with 20 million citations for biomedical literature. The search strategy combined relevant controlled vocabulary and natural language or free-text words to search for relevant English language studies conducted in humans from the year 1990 onwards. Studies published prior to 1990 were not searched since these studies were included in the two monographs developed by the International Agency for Research in Cancer (IARC) of WHO which have been appended as evidence for this review (*Annexure 1 (a), 4 (a)*). Additionally, technical experts were invited to submit any study for consideration provided it met the selection criteria. No attempt was made to hand search journals not indexed in the database or search for grey literature (conferences, abstracts, theses and unpublished studies).

Study selection criteria

The abstracts identified from the literature search were reviewed and the following criteria were defined for selecting the studies:

- a) Studies conducted with an objective of evaluating harmful effects of these products in humans.
- b) Studies based on primary as well as secondary research.

RESULTS

I. CONTENTS OF ARTICLES

The term 'smokeless tobacco' includes a large variety of commercially or non-commercially available products and mixtures that contain tobacco as the principal constituent and are used



either orally (through the mouth) or nasally (through the nose) without combustion (*Annexure 1 (a)*).

Oral use of smokeless tobacco is widely prevalent in India and different methods of its consumption include chewing, sucking and applying tobacco preparations to the teeth and gums (*Annexure 2*). According to the monograph developed by the International Agency for Research in Cancer (IARC) of the World Health Organization (*Annexure 1 (a)*), the three forms of smokeless tobacco which are commonly used orally include:

- a) *Tobacco alone* (with aroma and flavourings) – e.g Creamy or dry snuff, Gudakhu, Gul, Mishri, Red tooth powder
- b) *Tobacco with other components* (lime, sodium bicarbonate, ash) – e.g Khaini, Zarda, Maras, Naswar
- c) *Betel quid with tobacco* (includes areca nut, slaked lime, catechu and tobacco with spices) – e.g Betel quid, Gutkha, Mawa

For nasal use, a small quantity of very fine tobacco powder mixed with aromatic substances called dry snuff is inhaled. This form of smokeless tobacco use, although still practiced, is not very common in India. Snus is a form of snuff using moist tobacco powder, consumed by placing it under the lip for extended periods of time (*Annexure 2*).

The brands and common names of different products of chewing tobacco (smokeless tobacco) used in India have been enumerated in the proceeding of a prestigious meeting conducted by the National Cancer Institute, USA and the Centre for Disease Control, USA (*Annexure 3*).

In addition to the above mentioned smokeless tobacco products used orally, various mixtures of *betel-quid without tobacco* are also commonly used in India. A '*betel quid*' (synonymous with '*pan*' or '*paan*') generally contains betel leaf, areca/betel nut (or supari) and slaked lime, and may or may not contain tobacco. In other words, it usually contains at least one of the two basic ingredients **tobacco** or **areca nut**, in raw or any manufactured or processed form. Other substances, particularly spices, including cardamom, saffron, cloves, aniseed, turmeric, mustard or sweeteners, are added to betel quid according to local preferences. (*Annexure 4 (a)*)

Pan masala is very similar to a betel quid except that all its ingredients are in dehydrated and granular/powdered form. *Gutkha* is a mixture of Pan masala and chewing form of tobacco.

Chemical composition