

**GOVERNMENT OF INDIA
MINISTRY OF HEALTH AND FAMILY WELFARE
DEPARTMENT OF HEALTH AND FAMILY WELFARE**

**LOK SABHA
UNSTARRED QUESTION NO. 577
TO BE ANSWERED ON 09TH DECEMBER, 2022**

SALE & CONSUMPTION OF TOBACCO

**577 SHRI SHANKAR LALWANI:
DR. (PROF.) KIRIT PREMJBHAI SOLANKI:
DR. BHARATIBEN DHIRUBHAI SHIYAL:**

Will the **Minister of HEALTH AND FAMILY WELFARE** be pleased to state:

- (a) whether there is any provision regarding fine and punishment in case of sale and purchase of tobacco by children;
- (b) if so, the details of such cases registered during the last five years and the action taken thereon, State-wise;
- (c) whether the Government proposes to bring a regulation to decrease/check the consumption of tobacco, especially among the younger generation/minors and if so, the details along with the timeline thereof; and
- (d) the details of the steps taken/likely to be taken by the Government to save the young generation/minors from tobacco addiction?

**ANSWER
THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND
FAMILY WELFARE
(DR. BHARATI PRAVIN PAWAR)**

(a) and (b): As per Section 24 of the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 (COTPA, 2003), there is a provision for punishment of sale of cigarettes or any other tobacco products in certain places or to the persons below the age of eighteen years. As per the information received from States/Union Territories, the number of persons fined for violation of the provisions of Section 6 of COTPA, 2003 is at **Annexure**.

(c) The draft Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) (Amendment) Bill, 2020, was hosted in public domain for pre-legislative consultation.

(d): Various steps have been taken by the Government to save the young generation/minors from tobacco addiction. Some of the major steps are as under;

- As per Section 6 (a) of Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 (COTPA, 2003) read with Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Amendment Rules, 2011, there is **prohibition on sale of tobacco products to and by persons below the age of 18 years** and as per Section 6 (b) of COTPA, 2003, there is **prohibition on sale of tobacco products in an area within a radius of one hundred yards of any educational institution.**
- The Ministry has also issued the “**Guidelines for Tobacco Free Educational Institution (Revised)**” for effective implementation of Section-6 of COTPA, 2003, on 31st May, 2019; States are taking effective measures with Education departments for implementation of these Guidelines.
- Public Health is a State subject and the primary responsibility for enforcement of the Act, lies with the State Governments. The Union Government has requested the State Governments to undertake enforcement drives for effective implementation of these provisions of COTPA, 2003.
- Regular and sustained awareness is carried out about the adverse effects of tobacco usage on health through various anti-tobacco campaigns.

ANNEXURE

S.No	Name of State/UT	2017-18	2018-19	2019-20	2020-21	2021-22
		No. of persons fined	No. of persons fined	No. of persons fined	No. of persons fined	No. of persons fined
1.	Andhra Pradesh	0	0	0	0	200
2.	Andaman & Nicobar	0	0	0	0	0
3.	Arunachal Pradesh	2	0	56	1	8
4.	Assam	37	10	6	0	0
5.	Bihar	0	0	0	420	103
6.	Chhattisgarh	391	0	0	0	431
7.	DD and DNH	0	0	0	0	0
8.	Delhi	1027	771	16578	278	63
9.	Goa	0	0	0	0	0
10.	Gujarat	73590	77540	89043	49202	25848
11.	Haryana	0	0	0	1	46
12.	Himachal Pradesh	0	0	0	0	48
13.	J&K(Jammu Div.)	2	1	25	6	6
	Kashmir Division	0	0	0	0	0
14.	Jharkhand	276	318	151	743	566
15.	Ladakh	0	0	0	0	0
16.	Lakshadweep	0	0	0	0	0
17.	Karnataka	3836	1482	6818	5837	10403
18.	Kerala	4500	4178	5073	1195	1815
19.	Maharashtra	497	6642	3366	1272	2119
20.	Manipur	0	0	0	0	0
21.	Meghalaya	0	151	64	0	8
22.	Mizoram	48	117	40	0	7
23.	Nagaland	0	0	0	0	0
24.	Odisha	637	356	734	2185	6627
25.	Puducherry	25	24	68	0	28
26.	Punjab	25139	23886	21633	8609	13956
27.	Rajasthan*					342637
28.	Sikkim	30	25	37	43	40
29.	Tamil Nadu	1129	2763	1946	1774	310
30.	Telangana	0	101	320	952	182
31.	Tripura	0	0	0	0	0
32.	Uttarakhand					216
33.	Uttar Pradesh	84	95	23	19	149
34.	West Bengal					1264

* Data for Section 4 & 6 of COTPA, 2003 combined.