

**GOVERNMENT OF INDIA
HEALTH AND FAMILY WELFARE
LOK SABHA**

UNSTARRED QUESTION NO:440
ANSWERED ON:02.03.2005
BAN ON SALE OF GUTKA
Ahir Shri Hansraj Gangaram

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

- (a) whether the Government is contemplating to impose country-wise ban on sale of Gutka which increases risk of cancer and other dreaded diseases ;
- (b) if so, the details thereof;
- (c) the details of States where sale of Gutka has been banned ; and
- (d) the steps taken or likely to be taken by the Government to save the young generation from cancer and other dreaded diseases caused by the consumption of Gutka?

Answer

THE MINISTER OF HEALTH & FAMILY WELFARE(DR. ANBUMANI RAMADOSS)

(a) to (c) Government has not taken a decision to impose a country wide ban on sale of Gutka.

Sale of Gutka was banned by some States namely, Maharashtra, Goa, Tamil Nadu, Andhra Pradesh, Pondicherry under the provisions of Section 7 (iv) of the Prevention of Food Adulteration (PFA) Act, 1955. However, the orders prohibiting the sale of Gutka imposed under Section 7 (iv) of PFA Act, 1954 by these States were quashed by the Supreme Court of India (SLP No.24449 of 2002 decided on 2nd August 2004) declaring the impugned notification as bad in law, illegal and unenforceable.

(d) The Govt. has enacted a legislation `the Cigarettes and other Tobacco Products (Prohibition and Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003` to discourage the use of tobacco products including Gutka.

In addition a statement of warning `chewing of Tobacco is injurious to health` is required on every package of chewing Tobacco under the Prevention of Food Adulteration Rules, 1955.