

**GOVERNMENT OF INDIA
INFORMATION AND BROADCASTING
LOK SABHA**

UNSTARRED QUESTION NO:3316
ANSWERED ON:30.11.2010
SMOKING SCENES IN FILMS
Mahajan Smt. Sumitra

Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

- (a) whether the Government proposes to ban smoking scenes in the films/ mandatorily award 'A' certificate to all films having smoking scenes;
- (b) if so, the details thereof; and
- (c) the time by which such proposal is likely to be implemented?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING(DR. S. JAGATHRAKSHAKAN)

(a) to (c) As per section (5) of The Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) ACT(COTPA) 2003, no person engaged in, or purported to be engaged in the production, supply or distribution of cigarettes or any other tobacco products shall advertise and no person having control over a medium shall cause to be advertised cigarettes or any other tobacco products through that medium and no person shall take part in any advertisement which directly or indirectly suggests or promotes the use or consumption of cigarettes or any other tobacco products.

Further, Section 5(2)b of the COTPA, 2003 provides that no person, for any direct or indirect pecuniary benefit, shall sell or cause to sell, or permit or authorize to sell a film or video tape containing advertisement of cigarettes or any other tobacco products.

Moreover, the Rules namely the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Amendment Rules 2006' have been notified vide GSR No.656(E) dated 20-10-2006. However, the same could not be given effect to as the matter was sub-judice in the Hon'ble High Court of Delhi. Further, a SLP has been filed in the Hon'ble Supreme Court against the order of Delhi High Court for implementing the said Rules and the decision is still pending.