

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

UNSTARRED QUESTION NO:3961

ANSWERED ON:26.08.2011

BAN ON TOBACCO PRODUCTS

Antony Shri Anto; Dhruvanarayana Shri R. ; Ghubaya Shri Sher Singh; Verma Shri Sajjan Singh

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

- (a) the estimated number of people presently consuming some form of tobacco including cigarettes and smokeless tobacco such as gutka and pan masala in the country;
- (b) whether oncologists, cancer victims and directors of regional cancer centres have written letters to the Government seeking a ban on the sale of cigarettes and smokeless tobacco products, including gutka and pan masala, in the country;
- (c) if so, the details thereof alongwith the action taken/proposed thereon;
- (d) whether any directives from the Supreme Court have been received to carry out a study regarding the harmful consequences of tobacco products, including cigarettes, gutka and pan masala;
- (e) if so, the details thereof alongwith the steps taken/proposed in this regard;
- (f) whether the Government proposes certain amendments in the existing antitobacco laws including extending authority to schools and municipality to impose penalty on erring shop-owners selling tobacco products to the students around educational institutes; and
- (g) if so, the details thereof?

Answer

THE MINISTER OF HEALTH & FAMILY WELFARE (SHRI GHULAM NABI AZAD)

(a): As per the Global Adult Tobacco Survey, India (GATS), 2010 more than one third (34.6%) of adults (15 years and older) in India use tobacco in some form or the other. The use of smokeless tobacco (25.9%) is more prevalent than smoking (14.1%). The estimated number of tobacco users in India is 274.9 million, with 163.7 million users of only smokeless tobacco products, 68.9 million only smokers, and 42.3 million users of both smoking and smokeless tobacco.

(b) & (c): The Directors of 16 Regional Cancer Centres including 2 institutes of oncology have written letters to Government appealing for ban on sale of Gutkha and other tobacco products in the country. The aforesaid letters are a part of the report prepared by National Institute of Health and Family Welfare (NIHFW), New Delhi on the directions of the Hon'ble Supreme Court in the matter of Ankur Gutkha Vs. Indian Asthma Care Society.

The Ministry organized a 'National Consultation on Smokeless Tobacco' on 4-5th April, 2011 to deliberate on the issue concerning regulation/ban on smokeless tobacco.

Further, as per the notification of the Food Safety and Standards Authority of India dated 1st August, 2011 tobacco and nicotine should not be used as ingredients in any food products.

(d) & (e): Yes. Hon'ble Supreme Court vide its order dated 07-12-2010 have instructed to Government to approach National Institute of Public Health 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.

In compliance to the instructions of the Hon'ble Supreme Court, this Ministry in consultation with the National Institute of Health and Family Welfare (NIHFW), prepared the report on the contents of gutkha, tobacco, pan masala and similar articles manufactured in the country and harmful effects of consumption of such articles. The report was submitted before the Hon'ble Supreme Court on 17.02.2011. The Report of the NIHFW is in two parts:-

1. Analysis of the scientific literature on the contents of gutkha, tobacco, pan masala and similar articles manufactured in the country, and harmful effects of consumption of such articles.
2. Analysis of the scientific literature on the harmful effects of consumption of Areca-Nut or Betel Quid or Supari.

(f) & (g) Government of India has notified the rules namely "the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Amendment Rules, 2011" vide notification GSR no.

619(E) dated 11-08-2011 which provides a list of authorized officers, including Principal or Head Master or In-charge of an Educational Institution & Municipal Health Officers who shall be competent to impose penalty on erring shop-owners selling tobacco products to and by persons below the age of 18 years and within a radius of 100 yards of educational institutions.