

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

UNSTARRED QUESTION NO:4869
ANSWERED ON:02.09.2011
SURROGATE ADVERTISEMENTS OF TOBACCO PRODUCTS
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Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

- (a) whether the Government has taken note of certain studies/surveys which have found adolescents more receptive to the direct and indirect advertisements of cigarettes and other tobacco products;
- (b) if so, the details thereof;
- (c) the steps taken/proposed by the Government to put a ban on surrogate advertisements for all types of tobacco products in the country;
- (d) whether certain studies have also estimated that India accounts for one-fifth of tobacco attributable diseases and is likely to face an exponential increase in tobacco-related mortality from 1.4 per cent in 1990 to 13.3 per cent in 2020; and
- (e) if so, the reaction of the Government thereto alongwith the corrective measures taken/proposed in this regard?

Answer

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

(a) to (c): Taking note of various studies including World Health Organization (WHO) and the article in British Medical Journal (Tobacco Control) regarding the effect of direct and indirect advertisement of tobacco on youth, Government is taking steps to reduce the exposure of adolescents from direct and indirect advertisements.

In order to protect the youth from the misleading advertisement of tobacco products, the Government of India has already enacted "the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, (COTPA), 2003. Section-5 of this Act prohibits all direct or indirect advertisements, promotion and sponsorship of all tobacco products.

In order to give effect to Section 5 of COTPA, 2003, and regulate the depiction of smoking scene in films and TV programme, this Ministry notified "the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Amendment Rules, 2006 in consultation with Ministry of Information and Broadcasting on 20-10-2006. These Rules have not come into effect as the matter is sub-judice in the Hon'ble Supreme Court.

Further, a notification dated 27th February, 2009 issued by Ministry of Information and Broadcasting under the Cable Television Network Rules, 1994, allows "Genuine Brand Extension" of tobacco products. These Rules are not operational as it has been strongly opposed by Ministry of Health & Family Welfare.

(d): As per Tobacco Control Report in India, 2004, the estimated tobacco attributable toll will rise from 1.4 percent in 1990 to 13.3 percent in 2020.

(e) Government of India enacted "The Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003" (COTPA) to protect citizens, with special attention to risk groups such as pregnant women and children, and to discourage consumption of cigarettes and other tobacco products. The salient features of the Act are as under:-

- i. Ban on smoking in public places. (Section -4)
- ii. Ban on direct/indirect advertisement, promotion and sponsorship of tobacco products. (Section -5)
- iii. Ban on sale of tobacco products to children below 18 years & ban on sale of tobacco products within 100 yards of the educational institution.(Section- 6)
- iv. Mandatory display of Specified health warnings on all tobacco products. (Section - 7)

The National Tobacco Control Programme (NTCP) was launched in 2007-08 with the objective of enforcing the provisions under COTPA, 2003, creating awareness about the harmful effects of tobacco use and as an obligation to FCTC. Presently, the NTCP is

under implementation in 42 districts of 21 States. The programme broadly envisages-

National level

- i. National level public awareness/mass media campaigns for awareness building & for behavioural change through various medium.
 - ii. Establishment of tobacco product testing laboratories, to build regulatory capacity, as required under COTPA, 2003.
 - iii. Mainstreaming the program components as a part of the health delivery mechanism under the NRHM framework.
 - iv. Mainstream Research & Training – on alternate crops and livelihoods with other nodal Ministries.
 - v. Monitoring and Evaluation including surveillance e.g. Adult Tobacco Survey. State level
- i. Dedicated tobacco control cells for effective implementation and monitoring of Anti Tobacco Initiatives.

District level

- i. Training of health and social workers, NGOs, school teachers etc.
- ii. Local IEC activities.
- iii. School programme
- iv. Setting up tobacco cessation centres
- v. Monitoring of tobacco control Act.