

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

UNSTARRED QUESTION NO:332
ANSWERED ON:06.12.2013
SMOKING IN PUBLIC PLACES
Gaddigoudar Shri P.C.

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

- (a) whether the Government has prohibited smoking in public places and sale of tobacco products to minors or near educational institutions across the country and if so, the details thereof;
- (b) whether certain instances of violation of the above prohibition have been reported in the country;
- (c) if so, the details thereof during the last three years and the current year and the action taken by the Government thereon, State/UT-wise;
- (d) whether the Karnataka High Court has directed the Government to effectively implement the ban on smoking in public places and take action against tobacco companies which encourage smoking through hoardings; and
- (e) if so, the details thereof and the follow up action taken/proposed by the Government thereon?

Answer

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI GHULAM NABIAZAD)

- (a): The provisions under The Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act," (COTPA) inter alia prohibit smoking in public places and sale of tobacco products to minors or within 100 yards of Educational Institutions across the country.
- (b) & (c): Enforcement of the provisions lies with the State Governments. Ministry of Health & Family Welfare, Government of India has written to the State Governments to include compliance to COTPA as a part of the monthly crime reviews at District level.
- (d) & (e): The High Court of Karnataka in the matter of Cancer Patients Aid Association Vs State of Karnataka & Anr. [WP(C) No. 17958/2009.] issued directions to the Government of Karnataka on 29.03.2011 for implementation of Section 6(b) of COTPA, i.e. prohibition on sale of tobacco products within 100 yards of Educational Institutions.