

COMMITTEE ON SUBORDINATE LEGISLATION
(2014-2015)

(SIXTEENTH LOK SABHA)

FOURTH REPORT

ON

The Cigarettes and other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 and the rules framed thereunder.

(PRESENTED TO LOK SABHA ON 18.3.2015)

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LOK SABHA SECRETARIAT
NEW DELHI

March, 2015 / Phalguna, 1936 (Saka)

COSL No.

PRICE: Rs.

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Published under Rule 382 of the Rules of Procedure and Conduct of Business in Lok Sabha (Fourteenth Edition) and printed by the Manager, Government of India Press, Minto Road, New Delhi.

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COMPOSITION OF THE COMMITTEE ON SUBORDINATE LEGISLATION
(2014-2015)

1. Shri Dilipkumar Mansukhlal Gandhi Chairperson
2. Shri Idris Ali
3. Shri C. R. Chaudhary
4. Shri P. P. Chaudhary
5. Shri Shyama Charan Gupta
6. Shri Jhina Hikaka
7. Shri S. P. Muddahanumegowda
8. Shri V. Panneerselvam
9. Shri Prem Das Rai
10. Shri Chandu Lal Sahu
11. Shri Ram Prasad Sarmah
12. Adv. Narendra Keshav Sawaikar
13. Shri Ram Kumar Sharma
14. Shri Nandi Yellaiah
15. Shri Birendra Kumar Chaudhary

SECRETARIAT

1. Shri Shiv Singh - Joint Secretary
2. Shri Ajay Kumar Garg - Director
3. Smt. Jagriti Tewatia - Deputy Secretary
4. Smt. Vidya Mohan - Committee Officer

INTRODUCTION

I, the Chairperson, Committee on Subordinate Legislation having been authorized by the Committee to submit the report on their behalf, present this Fourth Report of the Committee on examination of the provisions contained in the Cigarettes and other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 and the rules framed thereunder.

2. The Committee received representations from MPs/people and following organizations also submitted their Memoranda to the Committee on the aforesaid rules :-

- (i) The All India Beedi Industry Federation.
- (ii) The Federation of Karnataka Virginia Tobacco Growers Association and others.

3. The Committee had the Briefing meeting with the representatives of the Ministry of Health and Family Welfare on 4.2.2015. The Committee also discussed the subject during its sitting held on 9 March 2015 in connection with examination of the Rules.

4. The Committee considered and adopted this Report at their sitting held on 16 March, 2015.

5. The Committee wish to express their thanks to the representatives of the Ministry of Health and Family Welfare who appeared before them and placed their views in connection with examination of the Rules. The Committee also wish to thank them for furnishing requisite material on the subject.

6. For facility of reference and convenience, recommendations/observations of the Committee have been printed in thick type in the body of the Report and have also been reproduced in Appendix-I of the Report.

7. The Minutes of the Fifth, Sixth and the Seventh sittings of the Committee (2014-15) held on 4.2.2015, 9.3.2015 and 16.3.2015 respectively are appended with the Report (Appendix -II).

**DILIPKUMAR MANSUKHLAL GANDHI
CHAIRPERSON,**

COMMITTEE ON SUBORDINATE LEGISLATION

16 March, 2015

25 Phalguna, 1936 (Saka)

Report

The Cigarettes and other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 was enacted to prohibit the advertisement of, and to provide for the regulation of trade and commerce in, and production, supply and distribution of, cigarettes and other tobacco products and for matters connected therewith or incidental thereto.

2. In exercise of the powers conferred under Section 31 of the Act, Rules have been framed to carry out the provisions of the Act made under Clause (o) of Section 3, sub-section (5) of section (7), sub-section (2) of section 8 & section 10 of the Act (34 of 2003).

3. Under the above Rule making provisions, the Cigarettes and other Tobacco Products (Packaging and Labeling) Rules, 2008 were notified vide GSR 182-E dated 15 March, 2008. These Rules have been amended from time to time and the last amendment has been notified vide GSR 727-E dated 15 October, 2014 which was published in the Gazette of India, Extraordinary, Part-II, Section 3(i) dated 15.10.2014 and scheduled to come into force on the 1st day of April, 2015. On scrutiny of the aforesaid rules and in the light of representation dated 13.12.2014 received from Shri Shyama Charan Gupta, MP and a written Memoranda received from All India Bidi Industry Federation, an apex organization of Bidi manufacturers, various issues were noticed. These representations alongwith the points noticed by the Committee were referred to the Ministry of Health & Family Welfare for furnishing their comments in the matter. The Committee also held a briefing meeting with the representatives of the Ministry of Health & Family Welfare on 4 February, 2015. The

Committee further deliberated over the issue during its sitting held on 9 March, 2015. These issues are discussed in the succeeding paragraphs.

4. Rule 3 of the Cigarettes & other Tobacco Products (Packaging and Labeling) Rules, 2008 deals with the manner of packing & labeling of tobacco products. Prior to amendment to clause (b) of sub-rule (1) of Rule 3 of the aforesaid rules, it was provided that:-

“1(b) the specified health warnings shall occupy at least forty percent (40%) of the principal display area of the pack and shall be positioned parallel to the top edge of the package and in the same direction as the information on the principal display area. Provided that for conical packs, the widest end of the pack shall be considered as the top edge of the pack: Provided further that for box and pouch type of packs, the specified health warning shall appear on both sides of the pack, on the largest panels;

The Government of India Notification dated 15 October, 2014 coming into force w.e.f. 1st April, 2015 seeks to substitute the above mentioned Rule 3(1)(b) with the following:-

“1(b) the specified health warning shall cover at least eighty-five per cent. (85%) of the principal display area of the package of which sixty per cent. (60%) shall cover pictorial health warning and twenty-five percent. (25%) shall cover textual health warning and shall be positioned on the top edge of the package and in the same direction as the information on the principal display area:

Provided that for conical package, the widest end of the package shall be considered as the top edge of the package:

Provided further that on box, carton and pouch type of package, the specified health warning shall appear on both sides of the package, on the largest panels and for cylindrical and conical type of package, the specified health warning shall appear diametrically opposite to each other on two largest sides or faces of the package and the specified health warning shall cover eighty-five per cent. (85%) of each side or face of the principal display area of the package of which sixty per cent. (60%)

shall cover pictorial health warning and twenty-five per cent. (25%) shall cover textual health warning"

Further, as per the newly inserted clause 3(1)(h), every package of cigarette or any other tobacco product shall contain the following particulars, namely:-

- (a) Name of the product;
- (b) Name and address of the manufacturer or importer or packer;
- (c) Origin of the product (for import);
- (d) Quantity of the product;
- (e) Date of manufacture; and
- (f) Any other matter as may be required by the Central Government in accordance with the international practice.”;

In the various representations received by the Committee, serious apprehensions have been expressed about the adverse impact of amendment rules on the livelihood of millions of workers / farmers engaged in the bidi trade. This apprehensions include:-

- (i) the increase in the size of specified health warning from 40 % to 85 % is arbitrary, excessive and unreasonable.
- (ii) in the case of conical packs of Bidis there will be no space left to inscribe all statutory requirements under various laws and displaying information like Brand name, name and address of manufacture, Origin of the product (for import); Quantity of the product; Date of manufacture; Any other matter as may be required by the Central Government in accordance with the international practice.”; etc in the remaining 15% of the conical space.
- (iii) Need for an in depth study on the socio economic effect to address the concern of farmers, farm labourers, Bidi workers, tendu leaves pickers, tribals etc. covering aspects like findings alternative cash crops and viable means of livelihood, development of skill requirements for transition to such alternatives, time frame and capital required for new alternatives.

- (iv) No pre-legislative consultative process involving farmers, farm labourers, Bidi workers, tendu leaves pickers, tribals, manufactures, consumers, workers unions etc has been followed in bringing out the amendment rules.
- (v) Rule 3 (1) (d) is contrary to the exceptions provided under section 5 (2) proviso (a) of the COTPA 2003.
- (vi) Bidis are natural product and are very small as compared to cigarettes. As such, Bidis should not be compared with cigarettes as far as rules are concerned.
- (vii) Over 20 Lakhs *Adivasis* pluck tendu leaves from the forests which given them a remuneration of more than 1100 crores per annum.
- (viii) There is no alternative crops for Bidi / Tobacco farmers.
- (ix) The number of dependent persons directly on Bidi business is about 1.30 crores and it is necessary to protect their livelihood.
- (x) As per the international labour organization note on Bidi industry in India of 2003, tobacco control rules should not be imposed on the Bidi industry in India till the workforce gets alternative employment.
- (xi) The new rule that 85% of the Bidi wrapper should contain horrific warnings etc. will cause the Bidi Industry to collapse.
- (xii) The existing rules were enacted on the recommendations of the Group of Ministers (GOM) after holding extensive discussions with the Industry and affected persons and taking into consideration the loss of livelihood to Bidi Workers and Tobacco Farmers. Until now the Government of India has not been able to provide alternative employment to Bidi workers in any manner whatsoever and so also with tobacco farmers. When, the situation has not changed, there cannot be any drastic amendment to the rules.
- (xiii) Without providing any alternative employment to Bidi workers, the GOM concluded that no further restrictions on trade should be

enforced as it would lead to social unrest, law and order problems and suicides. Similarly, farmers growing tobacco cannot be rendered jobless until they are trained and provided capital and infra structure for alternative crops, if at all found feasible.

- (xiv) Regarding the amendments mandating the print of date of manufacture on Bidi packets, the same is absolutely against the provisions of Weights and Measures Act, which has exempted Bidis since its inception in 1976 and again post amendment in 1997 and again while introduction of a new Legal Metrology Act in 2011.
- (xv) By making cigarette packet display area covered with 85% of pictorial warning, it will be difficult for the consumer to identify original with fake / illegal cigarette packets and thus this proposal will act as a boon for illegal cigarette manufacturers.
- (xvi) The consumers need to be given awareness on tobacco consumption. However, the present health warnings on the cigarette packets are not sufficient in creating such awareness.
- (xvii) About 38 million people are dependent on cultivation and sales of tobacco. Representations have been received from tobacco farmers of Guntur, East and West Godavari, Ongole of Andhra Pradesh and Khammam district from Telangana expressing grave concern if the new law of 85% space display is implemented and their lives will be at stake if the new rule is enforced. Representations from about 1295 pan shops dealers from Gadwal, Wanaparthy, Alampur, Nagarkurnool, Kollapur, Achampet, Kalwakurthy, Shadnagar, Manopahad, Gattu, Maldakal also expressing serious apprehensions for their survival if the new rules are implemented which will also adversely affect their daily business rendering lakhs of people without any source of income.
- (xviii) The proposed legislation of 85% display space be kept in abeyance or cancelled taking into consideration on the livelihood of lakhs of people associated with cultivating tobacco and also of the people selling cigarettes and other products.
- (xix) The process of manufacture of Bidis is different from that of cigarettes. While cigarettes are manufactured in factories, the Bidis is cottage industry and its manufacturing is done in households.

Even the Brand labels is separately pasted on the Bidi packets. As such, it will not be possible to fix the date of manufacture or compliance of 85% of warning area.

- (xx) The amendment notification is impossible to be implemented by Bidi manufacturers and they have already made up their minds to close the business rendering lakhs of workers unemployed.
- (xxi) In Madhya Pradesh alone more than 20 Lakh of Bidi workers are there and keeping Bidi manufacturing at the same footings with cigarettes would snatch the livelihood of these people which after the agriculture sector employs the maximum number of people.

5. Referring to the aforesaid rules, Shri Shyama Charan Gupta, MP in his letter dated 13 November, 2014 addressed to Chairperson, Committee on Subordinate Legislation has submitted that Bidis are natural product. It is very small as compared to Cigarettes and there is very little tobacco in each bidi, hence the harmful effects are nil as compared to Cigarettes & chewing tobacco. There is no medical evidence that bidis cause cancer. Thus, the present size of pictorial warning i.e. 40% is sufficiently large and clear and conveys the message unambiguously. The new rule of 85% of horrific pictorial warning on bidi wrapper is unreasonable. Therefore, the notification no. 727-E dated 15.10.2014 amending Rule 3(1)(b) of the Cigarettes & other Tobacco Products (Packaging and Labeling) Rules, 2008 should be withdrawn.

6. The All India Bidi Industry Federation, an apex organization of bidi manufacturers have also in their written representation (dated 10 November, 2014) submitted to the Committee that, Bidis are manufactured in India only by using sun dried bidi tobacco & tendu leaves in its natural state. It is a natural product and is very small as compared to cigarettes. By amendment to Rule 3(1)(b), the size of specified health warning has been increased from 40% to 85%. Bidis are packed in bundles of 10 to 25 bidis and length of bidis varies between 55 mm to 75 mm. If

85% of area is to be earmarked for specified health warning there will be no space left for printing brand logo / name. Without brand / logo it is not possible to sell bidis. Further, if 85% of area is to be covered with health warning then India will rank no. 1 in printing biggest health warning. The area specified is much more than the prevailing percent of area earmarked by world's most advance countries. Such sudden jump is not called for in countries like India where more than 8 million workers are employed by Bidi industry. Further, the rules also states that specified health warning shall appear on both sides of conical package the conical packages are packed manually by pasting two corner side ends of rectangular/square paper (say of 125 × 125 mm) and there is overlap. Hence it is virtually not possible to print specified health warning on both sides of conical package as required by the rule. The organization, therefore, submitted that existing area of 40% for specified warning be retained and the Rule 3(1)(b) should be modified accordingly.

7. The Ministry of Health & Family Welfare in response to the issues raised in the representation pertaining to increase of pictorial size from 40% to 85% vide their written reply dated 23 February, 2015 submitted as follows:-

"All the Rules framed have been notified under Section 31 of the Cigarettes and other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 (COTPA). COTPA has been enacted to discourage and use of tobacco products to protect public health, as all tobacco products are equally harmful; therefore, there is uniformity in all the provisions and also specified health warnings. The Act is comprehensive and covers all tobacco products (smoking as well as smokeless) as specified in the Schedule of the Act. With respect to the packaging and labeling rules and keeping in mind the different sizes, dimensions etc. of the tobacco product packages, the provisions related to principal display areas for conical type, box type, carton, pouch, cylindrical and conical type have been explicitly defined in the rules. The Act mandates that the pack warnings should be legible, prominent and conspicuous as to size and colour. Under the new Rules dated 15.10.2014, a minimum size of 3.5 cm (width) × 4 cm (height) for the specified health warnings ensures that the difference in pack size,

dimensions etc, does not impinge the effectiveness of the warnings and that the warnings remain legible, prominent and conspicuous as per the mandate of Section 8 of the Act. The pack size can be modified to accommodate the minimum size of the specified warning. The notified pictorial health warnings, are different for the two categories of tobacco products i.e smoking and smokeless tobacco products and are respectively linked to the diseases/risks associated with use of these products.

8. The Ministry further submitted that:-

“The increase in size of the warning still leaves ample space for printing brand name/logo and details of manufacturers, which can be adequately printed in the remaining part of the principal display area of the pack alongwith the 2 panels (top and bottom) for conical or cylindrical type of packages. On the box and box type packages the side panels and the top and bottom parts of the package may be used for the purpose.

Further, prior to bringing out the amendments this Ministry had prepared dummy packs of bidis with the new pack warning to field test the efficacy of large warnings. It was found feasible to print other information on the remaining space after displaying the new pack warnings”.

9. When pointed out that the matter of bringing out amendments should have been done in a gradual manner after scientifically examining the view/suggestions of the stake holders, the Ministry in its written reply submitted as follows:-

“.....Experience from other countries like Thailand, Canada and Australia shows that large and graphic warnings are effective in discouraging smoking and increasing public awareness of the health effects of smoking. The amendments brought about by the notification dated 15 October, 2014 are not sudden since the pictorial health warnings need to be rotated every 2 years or earlier, as determined by the Central Government. The last round of rotation was effected in April, 2013. The amendment in the coverage of principal display area for pictorial health warnings has been introduced to honour international commitments to WHO Framework Convention on Tobacco Control (FCTC) to which India is a party, as well as to make the health warnings more effective. With regard to the query on views/suggestions from all stakeholders, it may be noted that Article 5.3 of the FCTC requires that “in setting and implementing their public health policies with respect to tobacco control, Parties

shall act to protect these policies from commercial and other vested interests of the tobacco industry in accordance with national law". The other stakeholders for this purpose, i.e the tobacco users were consulted through a study conducted to pretest the pictorial warnings and messages...."

10. When pointed out during the briefing meeting held on 4 February, 2015 that the percent increase of pictorial warning should be different for Cigarettes and for bidis in view of their respective pack sizes, the Secretary, Ministry of Health & Family Welfare responded as follows:-

"Sir, I welcome your suggestion. I would like to clarify with your permission that after covering 85 percent of a cigarette packet or a bidi bundle on its back and front 15 percent space is left at its side, upper and lower panel and according to its size space is left for this advertisement even on a bundle of bidi. But whether it is adequate or not can be deliberated. But in addition to 15 percent, space is left on its upper and lower sides".

11. When enquired if 85% will be considered for the lower and upper side of the pack as well, the Secretary, Ministry of Health & Family Welfare replied that there is a provision of principal display area. The upper area will not be the principal display area.

12. The Committee thereafter, further received large number of representations signed by Dr. Virendra Kumar, MP, Lok Sabha S/Shri Ganesh Singh, MP, Prahald Singh, MP, Virendra Kumar, MP, Lakshmi Narayan Yadav, and Nandi Yelliah, MP and Federation of Karnataka Virginia Tobacco Growers Association and from various people/organizations involved in the bidi/tobacco/cigarette manufacturing trade raising the issue of modifying pictorial warning on cigarettes and bidi pack from 40% to 85% by Ministry of Health & Family Welfare by amending the Cigarettes & other Tobacco Products (Packing & Labeling) Rules, 2008 vide notification dated 15.10.2014 which is scheduled to be effective from 1 April, 2015.

13. The Committee during its sitting held on 9 March, 2015 further deliberated the issues raised in these representations and noted that serious concern were raised in these representations about the adverse impact of the modified rules which sought to increase the size of the pictorial warning on Bidi and Cigarette Packets from the existing 40% to 85% on the livelihood of a large number of people directly involved in Bidi and Tobacco products manufacturing. In this regard, the Committee noted that the matter was already under their examination but its completion was likely to take some more time as the Committee were yet to hear the views of the concerned stakeholders as well as the evidence of the Government authorities concerned with the subject before arriving at appropriate conclusion and presenting an objective Report to the Parliament.

Observation/Recommendation

14. The Committee note that the Notification *vide* GSR 727 -E published in the gazette of India, Part II Section 3 Sub-section (i) dated 15 October, 2014 regarding amendment to the Cigarettes and other Tobacco Products (Packaging and Labeling) Rules, 2008 is scheduled to come into force w.e.f 1st April, 2015. The said Notification *inter-alia* envisages modification to Rule 3 (1) (b) to increase the size of the specified health warning from the current 40% to 85% of the principal display area of the package of the tobacco product. Further, as per the newly inserted rule 3 (1) (h), every package of cigarette or any other tobacco product shall contain the particulars like name of the product; name and address of the manufacturer or importer or packer; origin of the product quantity of the

product; date of manufacture; and any other matter as may be required by the Central Government in accordance with the international practice.

15. In this regard, the Committee note that they have received a large number of representations from the Members of Parliament as well as various people/ organizations and stakeholders involved in the bidi/ tobacco/ cigarette trade against the proposed notification wherein serious apprehensions have been expressed about the adverse impact of the modified rules on the livelihood of a large number of people directly or indirectly involved in Bidi & Tobacco trade. The Committee are already in the process of examination of the Rules framed under the Cigarettes and other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003, and held a briefing meeting with the representatives of the Ministry of Health and Family Welfare on 4 February, 2015 to understand the subject. The Committee are of the firm opinion that all such apprehensions are needed to be comprehensively examined before the amendment Notification is brought into force w.e.f.01.04.2015. However, the Committee are yet to hear the views of other stakeholders, experts in the field as well as the formal evidence of the Ministry of Health and Family Welfare and other Government authorities concerned with the subject. The Committee also feel that the socio-economic effect on the livelihood of the workers associated with the tobacco industry trespasses the domain of the Ministry of Health and Family Welfare, and therefore, it would be imperative for them to seek the views of other Ministries especially the Ministry of Labour

and Employment, Ministry of Agriculture etc. As this entire process including finding out the socio-economic ramifications of the Notification and possible remedies is likely to take some more time, *the Committee strongly urge the Government that the implementation of the notification viz. GSR 727-E dated 15 October, 2014 may be kept in abeyance till the Committee finalize the examination of the subject* and arrive at appropriate conclusions and present an objective Report to the Parliament.

**DILIPKUMAR MANSUKHLAL GANDHI
CHAIRPERSON,
COMMITTEE ON SUBORDINATE LEGISLATION**

**16 March, 2015
25 Phalguna, 1936 (Saka)**

APPENDIX –I
(Vide Para 6 of the Introduction of the Report)

**SUMMARY OF RECOMMENDATIONS MADE IN THE FOURTH REPORT OF THE
COMMITTEE ON SUBORDINATE LEGISLATION**

(SIXTEENTH LOK SABHA)

Sl. No.	Reference to Para No. in the Report	Summary of Recommendations
1	2	3
1	14.	<p>The Committee note that the Notification <i>vide</i> GSR 727 -E published in the gazette of India, Part II Section 3 Sub-section (i) dated 15 October, 2014 regarding amendment to the Cigarettes and other Tobacco Products (Packaging and Labeling) Rules, 2008 is scheduled to come into force w.e.f 1st April, 2015. The said Notification <i>inter-alia</i> envisages modification to Rule 3 (1) (b) to increase the size of the specified health warning from the current 40% to 85% of the principal display area of the package of the tobacco product. Further, as per the newly inserted rule 3 (1) (h), every package of cigarette or any other tobacco product shall contain the particulars like name of the product; name and address of the manufacturer or importer or packer; origin of the product quantity of the product; date of manufacture; and any other matter as may be required by the Central Government in accordance with the international practice.</p>
	15.	<p>In this regard, the Committee note that they have received a large number of representations from the Members of Parliament as well as various people/ organizations and stakeholders involved in the bidi/ tobacco/ cigarette trade against the</p>

proposed notification wherein serious apprehensions have been expressed about the adverse impact of the modified rules on the livelihood of a large number of people directly or indirectly involved in Bidi & Tobacco trade. The Committee are already in the process of examination of the Rules framed under the Cigarettes and other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003, and held a briefing meeting with the representatives of the Ministry of Health and Family Welfare on 4 February, 2015 to understand the subject. The Committee are of the firm opinion that all such apprehensions are needed to be comprehensively examined before the amendment Notification is brought into force w.e.f.01.04.2015. However, the Committee are yet to hear the views of other stakeholders, experts in the field as well as the formal evidence of the Ministry of Health and Family Welfare and other Government authorities concerned with the subject. The Committee also feel that the socio-economic effect on the livelihood of the workers associated with the tobacco industry trespasses the domain of the Ministry of Health and Family Welfare, and therefore, it would be imperative for them to seek the views of other Ministries especially the Ministry of Labour and Employment, Ministry of Agriculture etc. As this entire process including finding out the socio-economic ramifications of the Notification and possible remedies is likely to take some more time, *the Committee strongly urge the Government that the implementation of the notification viz. GSR 727-E dated 15 October, 2014 may be kept in abeyance till the Committee finalize the examination of the subject* and arrive at appropriate conclusions and present an objective Report to the Parliament.

APPENDIX-II

(Vide Para 7 of the Introduction of the Report)

EXTRACTS FROM MINUTES OF THE FIFTH SITTING OF THE COMMITTEE ON SUBORDINATE LEGISLATION (2014-2015).

The fifth sitting of the Committee (2014-15) was held on Wednesday, the 4th February, 2015 from 1500 to 1615 hours in Committee Room 'C', Parliament House Annexe, New Delhi.

PRESENT

1. Shri Dilipkumar Mansukhlal Gandhi Chairperson

MEMBERS

2. Shri Idris Ali
3. Shri C.R. Chaudhary
4. Shri Prem Das Rai
5. Shri Chandu Lal Sahu
6. Adv. Narendra Keshav Sawaikar
7. Shri Ram Kumar Sharma
8. Shri Nandi Yellaiah

SECRETARIAT

1. Shri R.S. Kambo - Joint Secretary
 2. Shri Ajay Kumar Garg - Director
 3. Shri Raju Srivastava - Additional Director
-
2. XX XX XX
 3. XX XX XX

4. Thereafter, representatives of Ministry of Health & Family Welfare (Department of Health & Family Welfare) were called in. The following persons were present:-

1	Shri B.P. Sharma, Secretary (HFW)
2.	Shri C.K. Mishra, Additional Secretary & Mission Director, NHM
3.	Shri K.C. Samria, Joint Secretary

5. The Committee held discussion with the representatives of the Ministry of Health & Family Welfare (Department of Health & Family Welfare) on provisions contained in the Cigarettes and other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 and the rules framed thereunder.

6. The Chairperson then asked the representatives of the Ministry of Health & Family Welfare (Department of Health & Family Welfare) to furnish written replies to those points which could not be answered during the discussion.

7. The witnesses then withdrew.

8. A verbatim record of the sitting has been kept.

The Committee then adjourned.

**Omitted portion of the Minutes are not relevant to this Report

EXTRACTS FROM MINUTES OF THE SIXTH SITTING OF THE COMMITTEE ON SUBORDINATE LEGISLATION (2014-2015)

The sixth sitting of the Committee (2014-15) was held on Monday, the 9th March, 2015 from 1500 to 1545 hours in Committee Room 'E', Parliament House Annexe, New Delhi.

PRESENT

2. Shri Dilipkumar Mansukhlal Gandhi Chairperson

MEMBERS

3. Shri Idris Ali
4. Shri C.R. Chaudhary
5. Shri P.P. Chaudhary
5. Shri Shyama Charan Gupta
6. Shri S. P. Muddahanumegowda
7. Shri Prem Das Rai
8. Adv. Narendra Keshav Sawaikar
9. Shri Ram Kumar Sharma
10. Shri Nandi Yellaiah
11. Shri Birendra Kumar Chaudhary

SECRETARIAT

1. Shri Shiv Singh - Joint Secretary
2. Shri Ajay Kumar Garg - Director
3. Shri Raju Srivastava - Additional Director
4. Smt. Jagriti Tewatia - Deputy Secretary

2. At the outset, the Chairperson welcomed the members to the sitting of the Committee (2014-15).

3. XX XX XX

4. XX XX XX

5. XX XX XX

6. XX XX XX

7. The Committee also noted that a large number of representations were being received from various people involved in the Bidi/Tobacco/Cigarette manufacturing trade regarding the Ministry of Health and Family Welfare Notification dated 15.10.2014 amending the Cigarettes and other Tobacco Products (Packaging and Labeling) Rules, 2008 which was scheduled to come into force w.e.f. 1.4.2015. The Committee noted that serious concern were raised in these representations about the adverse impact of the modified rules which sought to increase the size of the pictorial warning on Bidi and Cigarette Packets from the existing 40% to 85% on the livelihood of a large number of people directly involved in Bidi and Tobacco products manufacturing. In this regard, the Committee noted that the matter was already under their examination but its completion was likely to take some more time as the Committee were yet to hear the views of the concerned stakeholders as well as the evidence of the Government authorities concerned with the subject before arriving at appropriate conclusion and presenting an objective Report to the Parliament. The Committee, therefore, decided that as an interim measure, they may recommend the Government that the implementation of the proposed Notification w.e.f. 01.04.2015 be kept in abeyance till the finalisation of examination of the subject by the Committee and presentation of its final Report to the Parliament.

The Committee then adjourned.

**Omitted portion of the Minutes are not relevant to this Report

MINUTES OF THE SEVENTH SITTING OF THE COMMITTEE ON SUBORDINATE LEGISLATION (2014-2015)

—

The seventh sitting of the Committee (2014-15) was held on Monday, the 16th March, 2015 from 1800 to 1835 hours in Chairperson's Chamber, Room No. 146 Parliament House, New Delhi to consider and adopt draft Fourth Report on provisions contained in the Cigarettes and other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 and the rules framed thereunder

PRESENT

1. Shri Dilipkumar Mansukhlal Gandhi Chairperson

MEMBERS

2. Shri C. R. Chaudhary
3. Shri P. P. Chaudhary
4. Shri Shyama Charan Gupta
5. Shri Jhina Hikaka
6. Shri S. P. Muddahanumegowda
7. Shri V. Panneerselvam
8. Shri Prem Das Rai
9. Shri Chandu Lal Sahu
10. Shri Ram Prasad Sarmah
11. Shri Nandi Yellaiah

SECRETARIAT

1. Shri Shiv Singh - Joint Secretary
2. Shri Ajay Kumar Garg - Director
3. Shri Raju Srivastava - Additional Director
4. Smt. Jagriti Tewatia - Deputy Secretary

2. At the outset, the Chairperson welcomed the members to the sitting of the Committee (2014-15).

3. The Committee, then, considered and adopted the draft 'Fourth Report' on the subject without any modification. The Committee also authorised the Chairperson to present the report to the House.

The Committee then adjourned.