

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

UNSTARRED QUESTION NO:3384
ANSWERED ON:01.08.2014
VIOLATION OF ANTI - TOBACCO LAWS
Kothapalli Smt. Geetha

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

- (a) whether sale and consumption of various tobacco products near educational institutions and violation of other anti-tobacco laws have been reported from various parts of the country;
- (b) if so, the details thereof along with the action taken/proposed to be taken by the Government thereon during the last three years and the current year, State/ UT wise; and
- (c) the fresh measures being taken by the Government for proper compliance of anti-tobacco laws across the country?

Answer

THE MINISTER OF HEALTH AND FAMILY WELFARE (DR. HARSH VARDHAN)

(a) to (c): The enforcement of the Cigarettes and other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 (COTPA) lies with the states.

The data on violation of various provisions of COTPA (for the period from April, 2012 to September, 2013) as received from various states where the National Tobacco Control Programme (NTCP) is under implementation are at ANNEXURE -I.

The Government has taken the following key steps:

The Cigarettes and Other Tobacco Products (Display of board by educational Institutions) rules were notified vide G.S.R 40(E) dated 19.01.2010 and enforced from the same date. These rules prohibit the sale of tobacco products within 100 yards of educational Institutions.

The Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Amendment Rules, 2011 were notified vide G.S.R 619(E) dated 11.08.2011. These Rules mandate prohibition of sale of tobacco products to and by persons below the age of eighteen years and recovery of fine thereon by the authorized officers.

Law Enforcers Manual has been developed, updated and disseminated to the States/Union Territories.

States have been assisted in organizing various capacity building programmes for Law enforcers from the support available under the National Tobacco Control programme (NTCP).

CBSE has adopted tobacco-free educational guidelines, developed by Ministry of Health & Family Welfare and made them compulsory for the schools affiliated with them.

Ministry has been taking regular feedback from states and communicating with them on the shortfalls noticed in implementation of the National Tobacco Control Programme as well as in enforcement of anti-tobacco laws and regulations.

Vide letter dated 22.08.2013, the Secretary Health & Family Welfare wrote to all the Chief Secretaries and Director Generals of Police in States/Union Territories for implementing the Rules related to Regulation of Advertisements at Points of Sale.

Based upon the request of Ministry of Health & Family Welfare the Secretary, Ministry of Home Affairs vide letter dated 07.05.2014 sent an advisory to the Director Generals of Police in States /Union Territories to incorporate COTPA as one of the agenda items in the Monthly Crime Review Meetings at the District Level.

Vide letter dated 04.06.2014 Additional Secretary, Ministry of Health & Family Welfare, has written to all the Chief Secretaries and Administrators in States /Union Territories to make compliance to COTPA a necessary condition in the licenses being issued to eating house and restaurants.