

GOVERNMENT OF INDIA
MINISTRY OF HUMAN RESOURCE DEVELOPMENT
DEPARTMENT OF SCHOOL EDUCATION & LITERACY

LOK SABHA
UNSTARRED QUESTION NO. 2203
TO BE ANSWERED ON 01.01.2018

COTPA in Schools

†2203. DR. RAMESH POKHRIYAL “NISHANK”:

SHRI ANOOP MISHRA:

Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

- (a) the efforts made by the Government to impose ban on the sale of tobacco and other narcotic product near the educational institutes;
- (b) whether as per Cigarettes and other Tobacco Products Act (COTPA) schools have placed signage outside their premises and if so, the details thereof, State/UT-wise; and
- (c) the details of the mechanism used to identify the same?

ANSWER
MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE
DEVELOPMENT
(SHRI UPENDRA KUSHWAHA)

(a) to (c) The Ministry of Health & Family Welfare has informed that as per Section-6 (b) of the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 (COTPA, 2003), no person shall sell, offer for sale, or permit sale of cigarette or any other tobacco product in an area within a radius of one hundred yards of any educational institution. It is mandatory to display and exhibit specified board at a conspicuous place(s) outside the premises prominently stating that sale of cigarettes and other tobacco products in an area within a radius of one hundred yards of the educational institution is strictly prohibited and that it is an offence punishable under Section 24 of the Act with fine which may extend up to two hundred rupees. A list of officers has been notified who are competent to act under and compound the offences committed in violation of clause (b) of Section 6 of the COTPA, 2003.

Further, “Guidelines for Tobacco Free Schools/Educational Institutions” has been developed by Ministry of Health & Family Welfare and shared with States/Union Territories for implementation of the said provisions of COTPA, 2003 and Rules made thereunder. Provision has been made in the said guidelines to constitute a “Tobacco Control Committee” to monitor the implementation of the said provision of COTPA, 2003 and Rules made thereunder.

Education, being a subject in the Concurrent List of the Constitution and majority of schools being under the jurisdiction of the State/Union Territories; it is for the respective State/Union Territory Governments to take steps to ensure compliance with the provisions of the COTPA act by their schools. So far as the schools affiliated to the Central Board of Secondary Education (CBSE) are concerned, the Board has sensitized all its affiliated schools regarding the guidelines for ensuring tobacco free schools.
