

**GOVERNMENT OF INDIA
MINISTRY OF HEALTH AND FAMILY WELFARE
DEPARTMENT OF HEALTH AND FAMILY WELFARE**

**LOK SABHA
UNSTARRED QUESTION NO. 3016
TO BE ANSWERED ON 5TH JANUARY, 2018**

NATIONAL TOBACCO CONTROL POLICY

3016. SHRI OM PRAKASH YADAV:

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

- (a) whether a panel has recommended framing an 'equitable and pragmatic' National Tobacco Control Policy, if so, the details thereof and the action taken in this regard;
- (b) whether the Government has proposed regular scrutiny for the compliance of 'The Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003', if so, the details thereof;
- (c) whether the Government has requested various States to stop selling of non-tobacco products by shops which are licensed to sell tobacco products and if so, the details thereof;
- (d) whether the Government has taken note of the fact that vendors are openly selling tobacco products to minors in close vicinity of educational institutions; and
- (e) if so, the details thereof and the necessary steps taken in this regard?

**ANSWER
THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND
FAMILY WELFARE
(SMT. ANUPRIYA PATEL)**

- (a): No such recommendations have been received from any Panel. However, the Committee on Subordinate Legislation (COSL) 16th Lok Sabha, on the Cigarettes and Other Tobacco Products (Packaging and Labelling) Amendment Rules, 2014, in its 11th Report felt a need for framing a "National Tobacco Control Policy" which should be equitable and pragmatic. An Inter-Ministerial Committee of Secretaries has been constituted at the national level.
- (b): The onus of enforcing various provisions of the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 (COTPA 2003), lies with the States/Union Territories.

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National Tobacco Control Programme (NTCP) was launched by this Ministry in 2007-08 with one such objective of ensuring effective implementation of the provisions under COTPA, 2003.

There are State and District Level Coordination Committees under NTCP to oversee its implementation.

Quarterly Reports submitted by the States/Union Territories during each Financial Year and review meetings with States/UTs constitute the monitoring mechanism for implementation of the Programme. In addition, the States submit their annual activities conducted in their States through Programme Implementation Plan (PIP) process and the same are examined by National Tobacco Control Cell. Further, the implementation of the Programme is being discussed during the meetings of National Programme Coordination Committee (NPCC).

(c): This Ministry has written letter to States/Union Territories to consider developing a mechanism to provide permission/authorization through Municipal Authority/Local Authority to the retail shops who are selling tobacco products with a condition/provision in the authorization that the shops authorized for selling tobacco products, cannot sell any non-tobacco product such as toffees, candies, chips, biscuits, soft-drinks, etc., which are essentially meant for children.

(d) & (e): As per Section 6 (a) of COTPA, 2003 read with Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Amendment Rules, 2011, there is prohibition on sale of tobacco products to and by persons below the age of 18 years and as per Section 6 (b) of COTPA, 2003, there is prohibition on sale of tobacco products in an area within a radius of one hundred yards of any educational institution.

It is evident from the Quarterly Reports received under COTPA, 2003 from States/Union Territories that there is violation of this Section and accordingly action is being taken through imposing fine on violators.

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