

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

**LOK SABHA
UNSTARRED QUESTION NO.5691
TO BE ANSWERED ON 26TH JULY, 2019**

COTPA, 2003

**5691. SHRI PARVESH SAHIB SINGH:
DR. SHRIKANT EKNATH SHINDE:
SHRI VINAYAK RAUT:**

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

- (a) whether the Government proposes to remove the provisions of allowing designated smoking areas and allowing Point of Sale advertising under the COTPA, 2003, if so, the details thereof;
- (b) number of violations reported under Section 4 of COTPA, 2003 and the number of people fined for violating the smoking ban since October 2, 2008 till date;
- (c) whether the Government has received reports of rampant violations of COTPA, 2003 around schools where tobacco products are sold to children within 100 yards, if so, the details thereof;
- (d) whether the Government has instructed the States/UTs to furnish statistics about vendors booked for such violations, if so, the details thereof;
- (e) whether the Government has issued advisory to States/UTs for introducing Vendor Licensing for selling of tobacco products, if so, the details thereof; and
- (f) whether the Government is taking steps to spread awareness to prevent people from violating smoking ban at public places, if so, the details thereof?

**ANSWER
THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND
FAMILY WELFARE
(SHRI ASHWINI KUMAR CHOUBEY)**

- (a): There is no such proposal at present.
- (b): As per information received from States/UTs, 29,23,311 persons were fined for violating the smoking ban during the period 2007-08 to 2018-19. The figure is inclusive of persons fined under Section 6 also in respect of States of Delhi, Punjab and Rajasthan.

(c) & (d): Section- 6 of the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 (COTPA, 2003) prohibits sale of cigarettes or any other tobacco products to any person who is under eighteen years of age; and in an area within a radius of one hundred yards of any educational institution.

The enforcement of provisions of COTPA, 2003 and Rules made thereunder is the responsibility of the States/Union Territories. As reported by States/Union Territories, violation of Section-6 is noticed. The number of persons fined and amount of fine collected for violation of the provisions of Section 6 during 2018-19 is at **Annexure**.

For effective implementation of this Section, Central Government has authorized officers from various Departments and advises States/Union Territories, from time to time, for the strict compliance of Section-6 of COTPA, 2003. On 31.05.2019, the Ministry has also issued the “Guidelines for Tobacco Free Educational Institution(Revised)”.

(e): Vendor Licensing is under the purview of State/UT Government and Local Bodies.

(f): To prevent people from violating smoking ban at public places, there is a provision to display specified signage at public places in the form as prescribed in the Rules made under COTPA, 2003. Different modes of communication viz. TV, Radio, Print media, social media, films, etc. and displaying of awareness material in trade fairs, melas etc., are also used for creating more awareness among people.

Annexure

Challan Details under Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 (COTPA, 2003) for 2018-19

(As per the information received from the States/Union Territories)

States/UTs	2018-19			
	Section-6(a)		Section-6(b)	
	No. of persons fined	Amount collected (in Rs.)	No. of persons fined	Amount collected (in Rs.)
Arunachal Pradesh	0	0	1	200
Assam	0	0	62	4240
Bihar	130	950	138	2400
Chhattisgarh	321	65726	990	8690
Delhi	299	93000	472	178510
Gujarat	8712*	1434970*	8712*	1434970*
Haryana	70	1400	0	0
Jammu and Kashmir	0	0	01	200
Jharkhand	318	63600	78	15600
Karnataka	945	125123	1139	114195
Kerala	75	103000	843	113100
Madhya Pradesh	41	3720	117	14580
Maharashtra	905	184650	1006	209160
Mizoram	34	3,720	83	5,850
Nagaland	0	0	266	49,930
Puducherry	0	0	24	8700
Punjab	23886~	1314215~	23886~	1314215~
Rajasthan	29885~	95487	29885~	5000
Sikkim	07	900	11	1870
Tamil Nadu	1581	330300	4844	1010400
Tripura	23	2180	1	200
Uttar Pradesh	34	6750	22	4320
Uttarakhand	57	8300	213	10800

* Total number of persons fined/amount collected under Section-6(a) and Section-6(b) of COTPA, 2003 collectively.

~Total number of persons fined/amount collected under Section-4 and Section-6 of COTPA, 2003 collectively.